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PUBLIC DEFENDER

LOS ANGELES COUNTY

CALIFORNIA

FISCAL YEAR

July 1, 1945, to July 1, 1946.

FREDERIC H. VERCOE

PUBLIC DEFENDER

DOCUMENTS DEPARTMENT

JUN 16 1949

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DEPARTMENT OF PUBLIC DEFENDER

Los Angeles County, California.

A N N U A L R E P O R T

Fiscal Year

July 1, 1945, to July 1, 1946.

FREDERIC H. VERCOE

PUBLIC DEFENDER.

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JURISDICTION OF PUBLIC DEFENDER.

The right of a person accused of a criminal offense in the Superior Court, to be represented by counsel is guaranteed by the Constitution of the United States, by the Constitution of the State of California, and by the Penal Code of this state.

Section 987 of the Penal Code of the State of California provides as follows:

"If the defendant appears for arraignment without counsel, he must be informed by the court that it is his right to have counsel before being arraigned, and must be asked if he desires the aid of counsel. If he desires and is unable to employ counsel, the court must assign counsel to defend him."

COUNTY CHARTER.

CRIMINAL CASES.

Under the County Charter, in criminal cases, it is the duty of the Public Defender, either upon request of the defendant, or upon order of the court, to defend all persons who are not financially able to employ counsel and who are charged in the Superior Court with the commission of a felony or other offense.

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APPEALS IN CRIMINAL CASES.

It is also his duty to prosecute all appeals to a higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction.

CIVIL CASES.

In civil legal matters it is his duty to represent the plaintiff under the law and to handle cases and prosecute actions for the collection of wages and of other claims of persons who are not financially able to employ counsel, in which the sum involved does not exceed $100.00, and in which, in his judgment, the claims urged are valid and enforceable in the courts.

It is also his duty to represent defendants and to defend persons who are not financially able to employ counsel in civil litigation in which, in his judgment, they are being persecuted or unjustly harassed.

APPEALS IN CIVIL CASES.

The Public Defender has authority to appeal civil cases to the proper appellate court when, in his judgment, errors have occurred in the lower court and have resulted in a miscarriage of justice.

ADVANTAGE OF PUBLIC DEFENDER
FROM ECONOMIC STANDPOINT.

The Public Defender saved the County of Los Angeles

APPEALS IN CRIMINAL CASES.

It is also his duty to prosecute all appeals to a higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction.

CIVIL CASES.

In civil legal actions it is his duty to represent the plaintiff under the law and to handle cases and prosecute actions for the collection of wages and of other claims of persons who are not financially able to employ counsel, in which the sum involved does not exceed $100.00, and in which, in his judgment, the claims urged are valid and enforceable in the courts.

It is also his duty to represent defendants and to defend persons who are not financially able to employ counsel in civil litigation in which, in his judgment, they are being prosecuted or unjustly harassed.

cases to the proper appellate court when, in his judgment, errors have occurred in the lower court and have resulted

during the last fiscal year at least three times the cost of operating the department, or approximately $250,000.00, by the manner in which the defense of persons accused of crime was conducted.

Unnecessary loss of time in handling criminal cases was eliminated without sacrificing the substantial rights and interests of the defendant. Pleas of guilty were encouraged where the defendants were obviously guilty. Unnecessary and costly trials were avoided whenever it was possible to do so.

The actual time consumed in the trial of cases was shortened by eliminating dilatory and procrastinating tactics sometimes resorted to. Hundreds of cases were advanced on the calendar from the original trial date and pleas of guilty entered, thereby freeing the court calendar for the trial of other cases.

Cases were prepared for trial and the trial conducted or the case disposed of by plea of guilty or dismissal on the original date they were set for trial unless previously advanced and disposed of. Continuances of trial dates were requested in only a very limited number of cases and then only because it was necessary to do so for good and sufficient reasons.

The Public Defender represents the defendant in between 55 and 60 per cent of all the criminal cases filed in the Superior Court. During the fiscal year 1945-46 the

during the last fiscal year at least three times the cost of operating the department, or approximately $600,000, by the manner in which the defense of persons accused of crime was conducted.

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Cases were prepared for trial and the trial commenced or the case disposed of by plea of guilty or dismissal on the original date they were set for trial unless previously advanced and disposed of. Continuances of trial dates were requested in only a very limited number of cases and then only because it was necessary to do so for good and sufficient reasons.

The Public Defender

the Superior Court. During the fiscal year 1944-45 the

Public Defender handled 3025 criminal cases in the Superior Court. In these cases 1285 defendants entered pleas of guilty when first arraigned in court and without the case being set for trial.

The Public Defender, during this fiscal year, tried 419 cases in the Superior Court. 102 of said trials were conducted with a jury while 317 were tried to the court without juries. A tremendous amount of time, as well as the expense of a jury in each of said cases was saved by this practice.

The Public Defender also during this fiscal year handled 166 preliminary examinations in the Superior Court in contributing to the delinquency of a minor cases. In 59 of said cases the preliminary examination was waived and the defendant was held to answer without it being necessary for the prosecution to prove its case by the introduction of evidence and examination of witnesses. This saved a considerable amount of time of the court. The rights of the defendant were fully protected even though this procedure was resorted to. No good purpose would have been served and nothing would have been gained by the defendant by insisting on the trial of the preliminary in said cases.

In 1281 of said cases pleas of not guilty were entered and the cases set for trial. 624 were later disposed of without trial. 489 of said trials were disposed of by changing the pleas of defendants from not guilty to guilty.

Public Defender handled 2065 criminal cases in the Superior
Court. In these cases 1865 defendants entered plea of
guilty when first arraigned in court and without the case
being set for trial.

[illegible] cases in the Municipal Court. Prior to said trials
cases in the Superior Court. Four or more trials were
commenced with a jury while 317 were tried to the court
without jurion. A tremendous amount of time, as well as
the expense of a jury in each of said cases was saved by
this procedure.

The Public Defender also handled this fiscal year
handled 189 preliminary examinations in the Superior Court
in connection to the delinquency of a minor cases. In 90
of said cases the preliminary examination was waived and
the defendant was held to answer without it being necessary
for the prosecution to prove the case by the introduction of
evidence and examination of witnesses. This saved a consid-
erable amount of time of the court. The rights of the de-
fendant to [illegible] was
reported to. No good purpose would have been served and
[illegible] the trial of the preliminary in said cases.

[illegible]
without trial. [illegible]
[illegible] the cases speedily.

135 of said cases were dismissed at the request of the Public Defender because it would have been a waste of time to try them. In each of said cases the rights of the defendants, under the law, were fully protected and safeguarded.

If the Public Defender had not disposed of said cases without trial, at least 400 to 500 more of them would have had to be tried in the courts. If 400 to 500 more cases had gone to trial it would have required four more Superior Courts than are now handling criminal cases, functioning full time, to have tried the same.

In round figures, it costs the County of Los Angeles $50,000.00 a year to operate a Superior Court that handles criminal cases. With four more criminal courts operating it would have cost the county an additional $200,000.00.

COMMENTS ABOUT PUBLIC DEFENDER'S DEPARTMENT.

Judge Charles W. Fricke, who is presiding in Department 43, one of the criminal departments of the Superior Court, in writing about the Public Defender, had this to say:

> Your method of avoiding useless trials whenever possible by pleas of guilty and in trying cases to the court without juries, results in saving a tremendous amount of the time of the courts. Your department in all of its work very materially assists the courts in disposing of criminal cases.

to try them. In each of all cases the rights of the defendants, under the law, were fully protected and safeguarded.

If the Public Defender had not disposed of such cases without trial, at least 400 to 500 more of them would have had to be tried in the course. If 400 to 500 more cases were gone to trial it would have required four more Superior Courts than are now handling criminal cases, functioning full time, to have tried the same.

In round figures, it costs the County of Los Angeles $250,000.00 a year to operate a Superior Court trial department, so it would have cost the county an additional $500,000.00, it would have cost the county an additional $500,000.00.

Judge Overton W. Trione, who is presiding in Department 45, one of the criminal departments of the Superior Court, in writing about the Public Defender, had this to say:

"Your method of avoiding useless trials whenever possible by pleas of guilty and in trying cases to the court without juries, results in saving a tremendous amount of the time of the courts. Your department in all of the work very materially assists the courts in disposing of criminal cases.

"As I have repeatedly and publicly declared, the expense of your office is more than saved the county by the manner in which your work is handled."

Mayor Fletcher Bowron, of the City of Los Angeles, when he was a Judge of the Superior Court in this County, wrote the following letter to the Board of Supervisors:

"I am advised that the Public Defender has requested sufficient allowance in the budget for his department for the next fiscal year to permit of the employment of an additional deputy and an investigator. I am taking the liberty to briefly express my views strongly recommending the appropriation.

"For approximately five years I presided over a criminal department and during that time I came in almost daily contact with the Public Defender's office. I know of no department of county government which is more efficiently operated and from which the public receives a greater return than from this office. It is well-nigh impossible to estimate the actual saving to the taxpayers of this county and the general public benefits derived directly and indirectly from the defense of persons charged with public offenses in the way and manner that such accused felons are represented by the Public Defender and his able deputies.

"For a number of years this office has represented

"For a number of years this office has

by the Public Defender and his [illegible]

fense of persons charged with public offenses in the

benefits derived directly and indirectly from the de-

to the taxpayers of this county and the general public

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Mayor Flaxbey Bowron, of the City of Los Angeles,

the manner in which your work is handled."

expense of your office is more than saved the county by

"As I have repeatedly and publicly declared, the

more than half of those entering pleas in the Superior Court. This office does not knowingly present false and perjured testimony, but where convinced that a defendant is innocent the deputies of the Public Defender's office are able to and do present as good a defense as any defendant could wish for, regardless of his financial ability to employ the best criminal lawyers at the local bar. It is the practice of the office to carefully interview each defendant whom the Public Defender has been assigned to represent, and after a study of the transcript of evidence taken at the preliminary hearing if convinced that the defendant is guilty the deputy endeavors to induce him to enter a plea of guilty. In this manner and in this way alone the Superior Court is able to receive a large percentage of pleas of guilty where otherwise the case would develop into a jury trial of several days duration. I believe that it could be conservatively estimated that if the office of the Public Defender should be eliminated and we would be compelled to revert to representation of defendants by individual counsel that fully half of the departments of the Superior Court would be devoted to the trial of criminal matters. (Half of the departments would be 25. Parenthesis interpolated.)

"I would like to see the time come when our constitution would be amended to provide for the representation of all persons charged with a public offense by a Public

more than half of those entering pleas in the Superior

[illegible] [illegible]

convicted testimony, but there convinced that a defendant

in innocent the defense of the Public Defender's office

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the defendant is guilty the county endeavors to induce

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this way alone the Superior Court is able to receive a

large percentage of pleas of guilty where otherwise the

case would develop into a jury trial or several type cases.

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tion of defendants by individual counsel that fully half

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to the trial of criminal matters. (Half of the depart-

ments would be 25. Parenthesis interpolated.)

"I would like to see the time come when [illegible]

tution would be amended to provide [illegible]

of all persons charged with a [illegible]

Defender, where rich and poor alike would receive the same kind of defense by a public officer in much the same manner as we have in the past prosecuted all offenders by public officer; but until that time comes I feel that the ends of justice in this county require more financial support of the office of the Public Defender at the present time. Hard working deputies are frequently required to be in court all day and make investigations during the evenings in connection with cases they are preparing for trial. The need of investigators by the Public Defender's office has been felt for many years.

"I respectfully recommend that the requested increase in the appropriation for the Public Defender's office be allowed."

Judge Robert R. Scott of the Superior Court wrote the Board of Supervisors as follows:

"My personal observation of the fine work done by the Public Defender convinces me that the additional deputy and investigator requested by Public Defender Frederic H. Vercoe would be of substantial service to the county and would fully justify the additional expenditure.

"It is the policy of that office, as I have observed it, to seek diligently to assure the proper administration of justice and not merely to defeat justice on the basis of legal technicalities. The ability of deputies in the public defender's office should be comparable to those in

defender, where rich and poor alike would receive the same kind of defense by a public officer in whom the sole motives we have in the most prosecuted all offenders by public officer; but until best time comes I feel that the ends of justice in this county require more financial support of the office of the Public Defender at the present time. Hard working counties are frequently required to be in court all day and make investigations during the evenings in connection with cases they are working for trial. The need of investigations by the public defender's office has been felt for many years.

"I respectfully recommend that the requested increase in the appropriation for the Public Defender's office be allowed."

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"It is the policy of that office, as I have observed it, to seek diligently to secure the proper administration of justice and not merely to defeat justice on the basis

the staff of the district attorney and the pay should naturally be similar. When you clearly and fully analyze the services rendered by the public defender it will be apparent that his service has been the largest contributing factor in the proper administration of our criminal law. They have succeeded in their efforts over a long period of years to fully safeguard the community and aid in the rehabilitation of the wrongdoer."

Judge W. Turney Fox was serving as a Justice Pro Tem in the District Court of Appeal when he wrote the following letter:

"I am advised that you have been requested by the Board of Supervisors to make a survey to determine whether one or more Grade III deputies should be provided for the Public Defender.

"During the twelve and one-half years that I have been on the bench, I have had a great variety of contact with the work of the Public Defender's office. This was particularly true when I was serving in a criminal department, also when I was Judge of the Juvenile Court. I have likewise had the opportunity of observing the work of that office from an entirely different viewpoint during the six and one-half years that I have served on the Appellate Department of the Superior Court, as well as during my current assignment to the District Court of Appeal.

"The net result of my observation of the Public Defender's office and the work that the deputies of that office do is that their work is of a very high quality and that it is a tremendously important factor in the proper administration of justice. The deputies and their work in that office compares favorably, in my opinion, with the deputies in the District Attorney's office, whose work I have likewise had the opportunity to see at close range over this rather substantial period.

"It is important for the Public Defender to have qualified and experienced lawyers to handle the work of that office -- just as important as it is to have that kind of lawyers as deputies in the District Attorney's office. Cheap help in these offices is really expensive to the public.

"The Public Defender's office in this county has always been, and is now, conducted on a very high plane, and has exacted of the men in office very diligent and painstaking work and has required of them ability and good legal training. It seems to me that they should therefore be classified and compensated accordingly."

SUMMARY OF ADVANTAGES OF PUBLIC DEFENDER IN CRIMINAL CASES.

I. If the defendant has no case, he is honestly advised to plead guilty, thus avoiding unnecessary trials,

2. If the defendant has a good case, he is given an adequate defense - not a perfunctory one - thereby truly safeguarding his interests.

3. Juries are often waived.

4. Cases are promptly tried when reached on the calendar - not continued time after time - thereby helping to solve the problem of congested criminal court calendars.

5. Cases are tried more expertly because of the skill of the defenders; and the time of the court, of the jury, of the witnesses, of the court attaches and others is not wasted by needlessly protracted trials.

6. By virtue of the foregoing, vast economies are effected in the administration of criminal justice.

7. The trial judges tend to rely upon the opinions and statements of the Public Defender in disposing of cases.

8. Chicanery and unethical practices are never resorted to, and the atmosphere of the trial of criminal cases is elevated and thereby respect for the law is enhanced.

9. There are less chances of miscarriage of justice against a poor and perhaps illiterate defendant who might otherwise be sent to prison because of not knowing what it is all about.

PUBLIC DEFENDER IN CIVIL CASES.

The Public Defender's civil jurisdiction is just as important as his criminal jurisdiction.

Millions of dollars are spent in the State of California each year in giving indigent persons, the poor, needy, and helpless, medical aid and hospitalization. This aid is rendered by the State so that such persons may be restored to health and again be placed, if possible, in a self-supporting condition.

Likewise, it is the duty of the Public Defender to render legal aid to the poor, needy and helpless in order to straighten out their legal difficulties, secure for them their rights under the law, or redress for their wrongs, so that they may continue to be self-supporting and not become charges of the Public Welfare Department.

APPLICATIONS FOR ASSISTANCE IN CIVIL CASES.

During the fiscal year 1945-46, 17,523 persons applied to the Public Defender for legal assistance in civil cases. 9,411 were advised as to their legal rights and assisted in solving their problems under the law; 1455 had claims for wages due, property detained, or other miscellaneous claims which were handled and adjusted; 1,629 were refused legal assistance because they had the means to pay an attorney or because their cases were outside of the jurisdiction of the office; and 5,018, whose cases were outside the jurisdiction of the Public Defender, were referred to lawyers on the Public Defender's list of lawyers. Said lawyers handle the cases referred to them by the Public Defender and render

ria each year in giving indigent persons, the poor, needy, and helpless, medical aid and hospitalization. This aid is rendered by the State so that such persons may be restored to health and again be placed, if possible, in a self-supporting condition.

Likewise, it is the duty of the Public Defender to render legal aid to the poor, needy and helpless in order to straighten out their legal difficulties, secure for them their rights under the law, or redress for their wrongs, so that they may continue to be self-supporting and not become charges of the Public Welfare Department.

LEGAL ASSISTANCE FOR ASSISTANCE IN CIVIL CASES.

During the fiscal year 1945-46, 13,324 persons applied to the Public Defender for legal assistance in civil cases. 9,411 were advised as to their legal rights and assisted in solving their problems under the law; 1455 had claims for assistance because they had the means to pay an attorney or because their cases were outside of the jurisdiction of the Public Defender's list of lawyers. Said [illegible] cases referred to them by the Public Defender

legal assistance. In many of said cases no attorney's fees are charged. In most of the cases where fees are charged the fee is very moderate and of a minimum character.

TOTAL APPLICATIONS FOR ASSISTANCE

The total number of applications to the Public Defender for assistance in both civil and criminal cases in the fiscal year 1945-46 was 23,315.

The wages of more than 675 working men and women that had been garnished, and were exempt under the law, which were released from said garnishment by the assistance of the Public Defender, amounted to $21,890.07. By said aid the Public Defender was able to keep the family of many a poor working man from actually going hungry and from becoming public charges requiring the assistance of the County Welfare Department. The persons aided in the civil department of the Public Defender's office were financially unable to employ a lawyer in private practice.

The Public Defender recovered $23,371.69 for the poor and indigent persons who applied to him for legal assistance in civil cases during the fiscal year 1945-46.

THE COST OF PUBLIC DEFENDER'S OFFICE.

The cost of maintaining and operating the Public Defender's office during the fiscal year 1945-46 was $93,299.61.

legal assistance. In many of said cases no attorney's fees are charged. In most of the cases where fees are charged the fee is very moderate and of a minimum character.

TOTAL APPROPRIATIONS FOR ASSISTANCE

The total number of applications to the Public Defender for assistance in both civil and criminal cases in the

The wages of more than 200 working men and women that [illegible] been garnished, and were exempt under the law, which were released from said garnishment by the assistance of the Public Defender, amounted to $31,800.00. By said aid the Public Defender was able to keep the family of many a poor working man from actually going hungry and from becoming public charges resulting the assistance of the County Welfare Department. The persons aided in the civil department of the Public Defender's office were financially unable to employ a lawyer in private practice.

The Public Defender recovered $58,371.09 for the poor and indigent persons who applied to him for legal assistance in civil cases during the fiscal year 1945-46.

THE COST OF CONDUCTING [illegible]

The cost of maintaining and operating the Public Defender's office during the fiscal year 1945-46 was

DETAILED REPORT OF CRIMINAL CASES.

Cases in which appearances were made in court.

Total number of court appearances in Superior Court -		8,552
Cases undisposed of July 1, 1945, and finally disposed of during last fiscal year - - - - -	166	
Felony cases, Superior Court - - - - - - - - -	2,636	
Contributing cases in Superior Court misdemeanors - - - - - - - - - - - - - - - -	166	
Rehabilitation cases, Superior Court - - - - -	44	
Juvenile cases, Superior Court - - - - - - - -	13	
Insanity cases, Superior Court - - - - - - - -	14	3,039

CONSULTATIONS

Consultations held in office - - - - - - - - -	2,753	
Consultations held in jail, approx. - - - -	10,415	13,168

TRIALS IN CRIMINAL CASES.

Total number of trials set during year and disposed of - - - - - - - - - - - - - - - - -		1,343
Trials eliminated by changing pleas of not guilty to guilty - - - - - - - - - - - - - -	489	
Cases disposed of by being dismissed - - - -	135	
Cases disposed of by being stricken from calendar - - - - - - - - - - - - - - - - -	5	
Other attorneys substituted - - - - - - - -	186	
Cases set for trial, pending July 1, 1946, -	143	
Cases actually tried - - - - - - - - - - - - -	385	1,343

Total number of court appearances in Superior Court -

Cases undisposed of July 1, 1945, and finally
disposed of during last fiscal year - - - - - 106

Felony cases, Superior Court - - - - - - - - - 3,852

Contributing cases in Superior Court
misdemeanors - - - - - - - - - - - - - -

Juvenile cases, Superior Court - - - - - - - 12

Insanity cases, Superior Court - - - - - - - 16

Convictions half in reform - - - - - - - - - X,X3

Convictions half in jail, etc. - - - - - - - 10,6?1 1,?05

Total number of trials set during year and
- 1,313

Trials eliminated by entering pleas of not
guilty to guilty

Cases disposed of by being dismissed - - - - 183

Cases disposed of by being stricken from
the -

Other dispositions - - - - - - - - - - - - -

Cases set for trial, pending July 1, 1946, -

Cases actually tried - - - - - - - - - - - - 8

RESULTS OF TRIALS

Verdicts of guilty	232	
Verdicts of guilty less offense	56	
Verdicts of not guilty	91	
Jury disagreements	6	385

CRIMINAL INSANITY TRIALS

Trials on pleas of not guilty by reason of insanity		17
Verdicts sane	6	
Verdicts insane	11	
	17	
Present insanity trials in criminal cases		6
Verdicts sane	0	
Verdicts insane	6	
	6	

CIVIL INSANITY TRIALS

Trials on civil insanity complaints		11
Verdicts sane	5	
Verdicts insane	6	
	11	
Total trials by Criminal Department		419

SUPERIOR COURT PRELIMINARY EXAMINATIONS

CONTRIBUTING CASES

Preliminary examinations held	107	
Preliminary examinations waived	59	166
Defendants held to answer to Superior Court	134	
Defendants discharged and cases dismissed or stricken off calendar	32	166

Verdicts of guilty - 275

Verdicts of guilty less offense - - - - - - - - - - - - 59

Jury discharged - 3 - 386

Trials on pleas of not guilty by reason of insanity - 17

Verdicts insane - 11

Present insanity cause in criminal cases - - - - - - - - 6

Verdicts sane - 0

Verdicts insane - 6/6

Trials on civil insanity congluding - - - - - - - - - - 11

Verdicts sane - 3

Verdicts insane - 8/11

Total trials by Criminal Department - - - - - - - - - 419

Preliminary examinations held - - - - - - - - - - - - - 107

MISCELLANEOUS DISPOSITIONS

PLEAS OF GUILTY

Total pleas of guilty to offenses charged - - -	1,621	
Total pleas of guilty of less offense than charged - - - - - - - - - - - - - - - - - -	184	1,805

VIOLATION OF PROBATION CASES

Number of cases handled - - - - - - - - - - - - -		151
Probation modified and continued without further county jail sentence - - - - - - - - - -	2	
Probation continued on same terms - - - - - - - -	14	
Probation extended - - - - - - - - - - - - - - - - -	3	
Fine imposed on defendant - - - - - - - - - - - -	4	
Probation revoked and defendant sentenced to:		
County Jail - - - - - - - - - - - - - - - - - -	79	
San Quentin - - - - - - - - - - - - - - - - - -	29	
Tehachapi - - - - - - - - - - - - - - - - - - -	1	
Forestry Camp - - - - - - - - - - - - - - - - -	4	
Committed to Youth Authority - - - - - - - - -	4	
Probation terminated - - - - - - - - - - - - -	1	
Case dismissed - - - - - - - - - - - - - - - - -	5	
Other Attorneys substituted - - - - - - - - -	5	151

PROBATION ORDERS

Defendants granted probation without jail sentence -	186	
Defendants granted probation with jail sentence -	302	
Defendants denied probation - - - - - - - - - - -	345	833

Other attorneys submitted	3	181
Case dismissed	5	
Formerly Dep	4	
Tennessee	1	
County Jail	20	
Probation revoked and defendant sentenced to:		
Time imposed on reinstant	4	
Prosecution extended	6	
Probation continued on same term	16	
Probation modified and continued without		
Number of cases heard		181
Total days of duty to offenses charged		1,301
Total days of duty of less offense		
Time charged	194	1,301

SENTENCES AND FINES

Defendants sentenced to death - - - - - - - - - - -	2	
Defendants sentenced to San Quentin - - - - - - - -	391	
Defendants sentenced to Tehachapi (Women) - - - - -	9	
Defendants committed to Preston School (Ione) - -	0	
Defendants committed to Ventura (Girls) - - - - - -	0	
Defendants sentenced to County Jail - - - - - - - -	734	
Defendants fined - - - - - - - - - - - - - - - - - -	36	
Defendants committed to Youth Authority - - - - -	148	1320

DEFENDANTS COMMITTED TO STATE HOSPITALS

Mendocino State Hospital - - - - - - - - - - - - - -	74	
Patton State Hospital - - - - - - - - - - - - - - -	1	
Norwalk State Hospital - - - - - - - - - - - - - -	1	
Camarillo State Hospital - - - - - - - - - - - - -	2	78

APPEALS TO DISTRICT COURT OF APPEAL AND SUPREME COURT IN CRIMINAL CASES

Appeals to Supreme Court in Death Penalty Cases -	3	
Petition to Supreme Court for Hearing - - - - - -	1	
Appeals to District Court of Appeal in felony cases -	1	5

Camarillo State Hospital	2
Norwalk State Hospital	1
Patton State Hospital	1

DISPOSITION OF APPEALED FELONIES

Cases	1
Appeals to District Court of Appeal in Felony	
Petition to Supreme Court for Hearing	1
Appeals to Supreme Court in Death Penalty Cases	3

SENTENCES AND TERMS

Defendants sentenced to death	3
Defendants sentenced to Reception Guidance Center (Women)	0
Defendants committed to Reception School (Term)	0
Defendants committed to Youthful Offender (Girls)	0
Defendants sentenced to County Jail	794

DETAILED REPORT OF CIVIL CASES

Total number of applications in the office for assistance in civil cases - - - - - - - -		17,823
Applications in which advice was given on various subjects - - - - - - - - - - - - - - -		9,411
Applications rejected because applicants were able to pay a fee or because the office was without jurisdiction:		
Refused - - - - - - - - - - - - - - - -	1,639	
Referred to attorney - - - - - - - - -	5,018	6,657
Cases Accepted and Handled - - - - - - - -		1,455

CIVIL CASES ACCEPTED AND HANDLED

Illegal attachments and garnishments and other persecution cases - - - - - - - - - -	675	
Guardianship cases - - - - - - - - - - - -	270	
Waivers of premarital tests in Superior Court - - - - - - - - - - - - - - - - - - -	329	
Court Orders - Consent to marriage of minors	100	
Miscellaneous accepted cases - - - - - - -	81	1,455

Total appearances in court on civil cases - - -	477
Money collected and chattels recovered without suit (approx.) - - - - - - - - - - - - - - - -	$1,481.62
Amount of wages released from illegal garnishment - - - - - - - - - - - - - - - - - -	21,890.07
	$23,371.69

Respectfully submitted,

FREDERIC H. VERCOE,

PUBLIC DEFENDER

Total number of applications in the office for assistance in civil cases - - - - - - - - -	17,389
Applications in which advice was given or Petitions rejected - - - - - - - - - - - - - - -	3,411
Applications returned because unwilling to pay 3 tes or because the office was closed - - - - - - - - - - - - - - -

R E P O R T

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PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1946 to June 30, 1948

WILLIAM B. NEELEY

PUBLIC DEFENDER

DOCUMENTS DEPARTMENT

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FOREWORD.

During the past two years, as public interest has turned from the primary objective of waging war to the problems of government in the post-war world, students of political science have directed greater attention to the office of public defender and its contribution to a better administration of justice.

In this field Los Angeles County was a pioneer. In 1914 the office of Public Defender of Los Angeles County was opened, functioning as a regular department of county government. This was the first such office established in the United States.

Because of its outstanding record for public service during the many years it has served our courts this office has, to a greater or less degree, been a model for the establishment of like offices in other parts of the country. Many inquiries respecting its organization, functions and philosophy are directed to the Public Defender by the officials of this and other states, by educators, and students of government in surveys preliminary to the creation of public defender offices in other jurisdictions.

The current general interest in this comparatively new department of government has emphasized the fact that the public at large has very little knowledge of the jurisdiction of the public defender and only slight understanding of the major part which the office plays in the administration of justice.

For a better understanding of the work of the public defender we must first appreciate some of the social, economic and political changes of the last half century which have created problems particularly in the administration of the criminal law for the solution of which the public defender program offers a major contribution.

To assist in this better understanding this report of the public defender includes as a preface an essay setting forth in brief the substance and effect of those social, economic and political factors.

WILLIAM B. NEELEY

THE PUBLIC DEFENDER - DEMOCRACY AT WORK.

For the first time since the beginning of recorded history a people revolting against tyranny and injustice by their Declaration of Independence informed the world that they proposed, if successful in the revolt, to establish a nation founded on the equality of man. In that State to be created each man should be equal before the law.

In the debates of the constitutional convention the demand for legal equality was controlling and the constitution as finally adopted offered guarantees of equality for all. The first ten amendments to the Constitution, the so-called "Bill of Rights," further secured the right of all men to enjoy equal protection and equal liberty under the law.

Of these amendments the sixth provides in part that:

> "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury . . . . . and to have the assistance of counsel for his defense."

Similar declarations are contained in the state constitutions of the several states guaranteeing the same right to a defendant in criminal charges prosecuted under the laws of the respective states.

Judges promptly realized that the right of counsel in itself did not make effective the equality sought to be attained in granting the right. A defendant with the means of employing counsel had the elements of his defense presented at the trial

by one trained in the law, while the defendant without money to employ legal assistance was unjustly handicapped in offering his evidence in the court. This limitation on the poor man placed him in a position of inequality before the law when compared to the man of means. Such inequalities, once established, tend to perpetuate themselves and grow, eventually bringing about gross injustice and germinating the seeds of revolt.

In order to make possible the general exercise of the right of counsel by all defendants whether with or without means to employ a lawyer, the judges of the criminal courts called upon attorneys appearing before the particular court to volunteer their services in behalf of indigent defendants. The obligation to accept such appointments and defend without pay was deemed by the bar a part of the duty of an attorney to the court. This method of providing counsel became generally known as the assigned counsel system.

For many years the assigned counsel system functioned in our criminal courts with a high degree of success. Until comparatively recent times the population of a community was, to a large degree, a fixed population. There were few improved roads and the means of moving from one community to another were limited. A hundred mile journey was an event. With the exception of that part of our people who participated in driving our national frontier westward, our citizens had a decided tendency to take up their residence in a community and to remain there. There were no large movements of seasonal laborers, and industrial districts with their ever changing population had not come into being.

Under such conditions of life the attorney appointed by

the court was frequently assigned to represent a defendant who was personally or by reputation known to him. To the moral obligation of representing his client to the best of his ability was added the incentive of the personal association.

In the formative years of our Republic the court house was the center of community interest. The opportunity to match one's abilities against the District Attorney and to appear as a barrister before friends and neighbors was of great moment to counsel and frequently served as a means of attaining public office.

A large proportion of our people resided in rural communities. Life was simple. There were few laws. Large areas of open free land made property less dear. Violations of personal or property rights, which today would result in the filing of criminal charges, were ignored. As a result there were relatively few criminal trials and attorneys were not burdened by frequent appearances on assigned cases.

Another element which contributed to the early success of the assigned counsel system was the fact that except for a very small number of prosecuting officers functioning in metropolitan areas the district attorney was not a specialist in criminal law. He was usually engaged in the general practice of the law during his term as district attorney and his acts as a prosecuting officer merely supplemented his private clientele. He was to all practical purposes merely retained to represent the state in prosecuting offenses against society. He did not presume to offer any special abilities in the criminal phases of the law. Appointive counsel was, therefore, not at any disadvantage in the matter of experience as compared to the prosecuting attorney and

he could accept an assignment to act as counsel with full confidence in his ability to well represent his client.

With the beginning of the last quarter of the nineteenth century there came into being a series of factors which combined to rapidly change the course of the lives of a large proportion of our people. This discovery of new methods for refining steel; the completion of the transcontinental railroad and the start of the period of vast railroad building; the sudden development of industrial centers and the demand for factory workers which in turn resulted in the concentration of many of our people in large cities; the migration of masses of European nationals to our shores; the invention of the elevator, making possible the city "skyscrapers" and even greater and more compact concentration of city populations; all were major factors in bringing about an almost revolutionary change in many of the functions and responsibilities of our government. Important as these factors were, their influence was insignificant compared with that effected by the creation and acceptance of the private corporation as the structural framework of commercial and industrial business organization.

It is doubtful if the industrial life of the United States under any other system of organization could have expanded and developed as it has under charters of incorporation granted by government. To realize the intimate manner in which all of our lives have been affected by this modern form of business organization we need only consider how the affairs of our daily life would be changed and what problems would arise if in some manner or means the private corporation were abolished.

With the changed conditions brought about by these new factors in our public and private life, new problems were created. They forced the abandonment of many old methods and procedures. They impelled a new approach in the disposition of old issues. The concerns of the industrialist, the merchant, the farmer, the tradesman and the laborer were intermingled and became more complex The attorney, called upon to assist and advise them all in their new problems, found himself becoming more and more a slave to his profession. He discovered that constant study was essential if he was to keep himself well informed and competent to conscientiously counsel and advise his clients. Attorneys found that they had less time to devote to appearing as assigned counsel in criminal cases. Judges, recognizing the sacrifice in time and money made by leaders of the profession in accepting assignments by the court, were adverse to making such appointments. Out of sheer necessity, judges were impelled to select the assigned counsel from members of the profession who had been unable, either by lack of ability, lack of industry, or other cause, to establish a practice which demanded their complete attention or to enlist the services of newly admitted members of the bar. Neither course was to be recommended as insuring justice to a defendant so represented.

The new tide of immigration and the growth of large manufacturing districts had combined to bring about a tremendous growth in urban population. In such districts the ratio of criminal trials to population was considerably larger than the ratio existing in smaller cities and rural communities. Not only was there a greater number of trials, but there was also a greater percentage of defendants in the metropolitan courts who were without counsel and without adequate means for employing an attorney.

The demand for appointive counsel exceeded the supply which the dependable members of the legal profession could provide. As a result, the so-called "jail attorney" came into being. He was always in or around the criminal courts and the jails ready to volunteer his services to anyone charged with crime who was without counsel. Many such attorneys are entirely conscientious in representing their clients but others accept appointment only in the hope of being able to coerce a small fee from someone interested in the defendant and failing to get a fee they do little or nothing to assist him in presenting his case.

Increasing specialization in the practice of law has further reduced the percentage of those in the profession who are available to be assigned as counsel in a criminal case. The attorney whose practice seldom concerns the criminal law hesitates to jeopardize his standing in the courts, or the rights of a client by accepting an appointment to represent a defendant in a branch of the law with which he is not familiar.

The office of the prosecuting attorney has been no exception to the general rule of change. No longer are his services as a district attorney merely supplemental to his general practice. He is a specialist devoting his entire time to the administration of his office and the prosecution of crime. His deputies, by reason of constant association with the procedural system of the criminal courts, are cognizant of all the devices which lead to a swift and certain conclusion of a criminal trial. For an attorney only casually familiar with the procedures in a criminal case to enter into such a trial against a district attorney thoroughly understanding the issues to be met and aided in the presentation

of his evidence by a corps of deputies and investigators, would present an unequal contest and would offer little hope of ascertaining truth and attaining justice.

If we substitute a newly admitted, inexperienced member of the bar for the attorney whose practice has been outside the field of criminal law, then the possibility of ascertaining truth and attaining justice becomes even more remote.

Society can offer no excuse for a system which provides experience for young lawyers through the assigned counsel system. A miscarriage of justice is too often the terrific price paid for such experience. It is inconceivable that we would take a young physician just admitted to practice and place him alone in an operating room to perform a difficult bit of surgery, yet we have and do from time to time place the honor, liberty, even the life of a prisoner accused of crime in the charge of inexperienced counsel.

Realizing that the contribution the legal profession was making under the assigned counsel system was becoming an increasing liability and in an effort to partially reimburse appointed counsel for their services in the administration of justice, many of the states passed legislation providing for payment by the state or county of a small fee for such services. In the smaller cities and rural communities, districts wherein the assigned counsel system was in good repute and had continued to function satisfactorily, the payment of a small fee by government to appointed counsel tended to strengthen the system. However, in large court centers and metropolitan areas it was noted that the provision for fees to be paid by the government tended

To aggravate the evils of the assigned counsel system as it functioned in those districts. The fee schedules were extremely low and failed to attract the better members of the profession to offer themselves as willing to accept appointment. The jail lawyer had an added incentive to be in court on arraignment day so that he might be immediately available to act for a defendant who was in court without counsel.

Early in the twentieth century it became apparent to the bench and the bar that the system of assigned counsel was becoming outmoded and that some other method of providing legal assistance to a defendant without means must be devised. A survey of the system indicated that although the direct cost of the assigned counsel was small, the indirect cost of such counsel was out of all proportion to the service rendered. The growing impracticability of the system in large court centers, and the unwholesome conditions which it tended to create, brought criticism on the courts and the legal profession. Commissions were created to study the problem of providing competent legal assistance for those financially unable to employ counsel. These commissions invariably recognized the failure of legal aid by assigned counsel.

Charles Evans Hughes, while Chief Justice of the United States Supreme Court, in an address before the American Bar Association stated:

> "In our great cities the time honored practice of assigning counsel is not in good repute,"

and former Chief Justice William Howard Taft wrote:

"I think that we shall have to come, and ought to come, to the creation in every criminal court of the office of the Public Defender and that he should be paid out of the treasury of the county or of the state."

The idea of a Public Defender is not new. Records of the old Roman law furnish evidence that a public defender, or an officer with duties similar to those performed by such an official, was recognized in their legal system, and the civil law as administered in France and Spain makes provision for an officer whose function is in many respects comparable to that of a public defender as the office has been created in many cities and counties in this country.

The first office of public defender in the United States was created in Los Angeles County. The office was legally established by a county charter provision adopted in 1913 and was opened in 1914. It is a regular department of county government. The public defender and his deputies are selected by competitive examination conducted by the County Civil Service Commission and are responsible only to the Board of Supervisors. They are, of course, as regularly admitted members of the bar, officers of the court and subject to the same duties and obligations to the court and to their clients as an attorney in private practice. The Public Defender and his deputies are paid a fixed monthly salary.

Under the limitations of the county charter the office is authorized to appear as counsel for any defendant charged in the Superior Court with the commission of a felony. Before making the appointment the court must ascertain by inquiry of the defendant that he is without means or property with which to employ

counsel. After appointment the office represents a client in the same manner as private counsel, even to the extent of taking appeals to higher courts in cases wherein the public defender believes an appeal is warranted.

At the time the Los Angeles office was created it was looked upon with suspicion and distrust by many of those concerned with the administration of justice, as well as by some members of the local bar, but its efficient and successful operation for thirty-five years has raised the office to a position where it is now recognized as an essential part of the administration of justice and is highly endorsed by the judges of the courts in which its deputies appear, by prosecuting officers and law enforcement agencies, and by the bar associations. Except in those cases wherein, because of the conflicting interests of joint defendants, the public defender cannot represent all defendants, the courts never appoint private counsel.

In addition to its criminal jurisdiction the Los Angeles County Public Defender has a limited civil jurisdiction. He is authorized to file and prosecute civil suits for the collection of wage claims where the amount involved does not exceed one hundred dollars and he may appear and defend in so-called persecution cases wherein the wages or property of persons without funds to employ counsel have been illegally attached or held on execution. These actions invariably involve such small sums that an attorney in private practice cannot afford to accept the employment. In a single year the office has recovered for its clients in excess of fiftythousand dollars of wages and property illegally held by others.

Surveys taken for the purpose of ascertaining the relative cost of maintaining the office of public defender, as compared with the cost of providing legal assistance under the assigned counsel system, indicate that even in those jurisdictions in which assigned counsel received no fee the creation of the office effected a saving in the total cost of the administration of justice. This saving results from the fact that cases are more promptly tried and unnecessary procedural delays are avoided. The public defender is always available and the courts are relieved of the necessity of granting continuances and arranging their trial calendars to suit the convenience of an assigned counsel whose first responsibility is to his regular clientele as contrasted with his responsibility for serving without compensation in a case to which he has been appointed by the court.

The public defender system is a forward step in providing competent legal assistance for the defendant without funds to employ counsel. The obligation on society to provide such representation as will insure a fair trial of the issue of guilt is just as absolute as is the obligation to prosecute crime. To defend the individual defendant is to protect society, for if the rights and liberties of the individual are ignored a free society is endangered. Before the bar of justice all must receive the same full hearing, the rich, the poor, the strong, the weak, if there is to be in fact for us all, justice. This is Democracy at work.

REPORT OF THE PUBLIC DEFENDER

July 1, 1946, to June 30, 1948

The Public Defender's Office of Los Angeles County was created as a part of the freeholder's charter which was adopted and became effective on June 2, 1913. The authority and jurisdiction of the office was defined in Section 23 of Article VI as follows:

> "Upon request by the defendant or upon order of the Court, the Public Defender shall defend, without expense to them, all persons who are not financially able to employ counsel and who are charged, in the Superior Court, with the commission of any contempt, misdemeanor, felony or other offense. He shall also, upon request, give counsel and advice to such persons, in and about any charge against them upon which he is conducting the defense, and he shall prosecute all appeals to a higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion, such appeal will, or might reasonably be expected to, result in a reversaal or modification of the judgment of conviction.
>
> "He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in cases which, in the judgment of the Public Defender, the claims urged are valid and enforceable in the courts."

"He shall also, upon request, defend such persons in all civil litigation in which, in his judgment, they are being persecuted or unjustly harassed."

The primary work of the office is to provide legal representation for persons accused of a criminal offense in the Superior Court of our state amd who are without funds to employ an attorney. In this manner the right to the aid of counsel, guaranteed by the Constitution of the United States, by the Constitution of the State of California and by the Penal Code of the State, becomes a reality to the individual defendant.

The present staff of the office embraces the Public Defender, Chief Deputy Public Defender, and fourteen Deputy Public Defenders, all of whom must be attorneys regularly admitted to practice in all of the courts of the state. The attorneys are required to devote all of their time to the work of the office and are not permitted any outside private practice. The clerical staff consists of two secretaries, three law stenographers and one stenographer. In 1946 provision was made for the employment of an Investigator in the department and at present the Bureau of Investigation is composed of two full time investigators.

The main office of the Public Defender is located in the Hall of Records, in the Civic Center of Los Angeles. In February, 1948, a branch office was opened to serve the departments of the Superior Court in Long Beach. The Long Beach office is staffed with a Deputy Public Defender and a secretary.

The criminal departments of the Superior Court functioning in Pasadena and Santa Monica are served by deputies working out of the main office.

Although the Long Beach office has been functioning only five months it has already justified the action of the Board of Supervisors in creating it. Prior to the opening of the office the work of the Long Beach courts consumed almost all of the time of one deputy and yet he was required to spend a considerable part of his time in traveling to and from the main office to the courts in which he worked. By having a deputy resident in Long Beach he is not only able to care more adequately for the work of the department in the Long Beach courts but he is also able to devote the time formerly used in travel to the better service of the people in that community who have sought and are entitled to the service of the Public Defender's Office.

Reference has been made to the action of the Board of Supervisors authorizing a Bureau of Investigation in this department. In September of 1946 the first investigator was appointed. The work of the Bureau is confined almost exclusively to the criminal jurisdiction of the office. The Investigator's duties are comparable to those of investigators in any private law office or in the District Attorney's office, locating witnesses and making field investigations of cases assigned to him by trial deputies in the department.

It should be pointed out that prior to the time that provision was made for a Bureau of Investigation the work of an investigator was done by the deputy to whom the respective cases

were assigned to prepare for trial. Not only were these deputies not trained to do investigating work but in many instances even when their investigations were fruitful they were unable to take full advantage of the information which they had obtained and yet serve as trial lawyers. From every viewpoint the former system was undesirable.

The creation of the Bureau of Investigation has made it possible for the trial deputies to carry an increased case load because they are relieved of the loss of time formerly spent in field investigation. The work of the Bureau was of such signal success that in January, 1948, the employment of a second investigator was authorized.

By reason of the fact that so far as we know this is the only office of Public Defender which has a Bureau of Investigation it would seem proper to point out that this phase of the work of the office has resulted in economies far in excess of the cost of the bureau.

Through careful investigation we have been able to dispose of many cases which otherwise would have had to be tried. In almost every trial in which there has been an investigation the duration of the trial is shortened by reason of the fact that the trial deputy is fully advised as to the evidence to be presented and is able to present it expeditiously. Thus substantial savings in trial costs are accomplished.

COMPOSITE STATISTICAL RECORD OF THE CRIMINAL WORK OF THE OFFICE FOR THE FISCAL YEARS 1946-47 and 1947-48

	Number of Cases		Court Appearances	
	1947-48	1946-47	1947-48	1946-47
Los Angeles *	2775	2507	9535	7893
Long Beach	237	242	820	723
Pasadena	112	115	375	319
Violations of probation	183	141	220	171
Civil Insanity - Jury Trials	22	12	47	25
Rehabilitation - Petitions	33	30	162	
Contributing to Delinquency	176	159	480	384
	3538	3206	11639	9515

Unfinished Cases

Los Angeles	197	168
Long Beach	5	

* Includes Santa Monica

Attention is directed to the fact that the last three years have seen a very material increase in the number of felony cases handled by the Public Defender's Office. In the fiscal year 1945-46 the office appeared in 2636 felonies; in 1946-47, in 2864; and in 1947-48, in 3124, an increase of almost 20 per cent. in three years. In the total number of cases handled by the office there was an increase of 332 in 1947-48 over 1946-47; and in the aggregate the court appearances this last fiscal year exceeded the previous fiscal year by 2124.

SUMMARY OF CRIMINAL TRIALS

	Los Angeles 1947-48	Long Beach 1947-48	Total 1947-48	Total 1946-47
Trials disposed of by plea of guilty	492	50	542	550
Trials disposed of by dismissal	60	2	62	153
Trials disposed of by off calendar	5	1	6	3
Trials in which private counsel substituted	277	6	283	185
Trials pending (6/30/48)	97	5	102	137
Trials completed to verdict	688	12	700	521
Total trials tried or disposed of	1619	76	1695	1549

With respect to the item "Trials completed to verdict" attention should be directed to the fact that this phase of the work of the office has increased from 385 trials in 1945-46 to 521 trials in the year 1946-47 and to 700 trials in the past fiscal year, 1947-48; an increase of more than 82 per cent. in three years.

RESULTS OF TRIALS

	1947 - 1948				1946 - 1947			
	Los Angeles	Pasadena	Long Beach	Totals	Los Angeles	Pasadena	Long Beach	Totals
Guilty as charged	432	6	6	444	277	3	15	295
Guilty of lesser offense	100		2	102	61			61
Not guilty	131	7	4	142	153	4	4	161
Jury disagreed	12			12	4		4	8
Not guilty by reason of insanity								
Sane	10			10	12			12
Insane	9			9	16			16
Court doubt of present sanity								
Sane	2			2	0			0
Insane	17	3		20	10			10
Civil insanity (quasi-criminal)								
Sane	5			5	5			5
Insane	14			14	1			1
				760				569

RESULTS OF APPEALS

	1947 - 1948	1946 - 1947
Cases Appealed	4	2
Cases Affirmed	1	1
Cases Reversed	3	1

CIVIL JURISDICTION

		1947-48	1946-47
pplications in which advice given		7743	7572
pplications rejected:			
(a) Refused	1034		
(b) Referred to attorney	4433	5467	6293
Applications referred to other agencies and unclassified		3554	
ccepted cases (see next table)		1858	1554
otal applications for assistance		18622	15419

Because the subject matter was not within the office jurisdiction (example - real property) or applicant able to pay a fee.

DETAIL OF ACCEPTED CASES

	1947-48	1946-47
onsent to marriage of minors		55
llegal attachments - garnishments and other persecution cases	1099	708
uardianships	272	297
remarital test waivers	296	342
Wage claims and miscellaneous	191	152
Total accepted cases	1858	1554
Court appearances in civil cases	438	422

Recovered for Clients

Wages released from illegal attachments - garnishments	$41,179.32		$28,175.43
Defense in civil cases	4,332.88		
Goods released	101.00		187.00
Wages collected	143.02		237.00
Miscellaneous items	3,485.12		976.15
Collected on cases pending 7-1-47	5,573.54	7-1-46	2,773.93
	54,814.88		32,349.51

All figures regarding civil cases include the Long Beach office.

BUREAU OF INVESTIGATION

	1947-48		1946-47	
Criminal cases investigated	563		307	
Civil cases investigated	21	584	25	332
Persons interviewed	2628		1249	
Persons subpoenaed at interview	261		183	
Hours of overtime work	755		489	

Attention is directed to the item of "hours of overtime work." The investigators receive no compensation for overtime but without this contribution they would be unable to handle the excessive case load.

Respectfully submitted,

WILLIAM B. NEELEY,

Public Defender

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PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1948, to June 30, 1949

ELLERY E. CUFF

PUBLIC DEFENDER

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REPORT OF THE PUBLIC DEFENDER

July 1, 1948, to June 30, 1949

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"Upon request by the defendant or upon order of the Court, the Public Defender shall defend, without expense to them, all persons who are not financially able to employ counsel and who are charged, in the Superior Court, with the commission of any contempt, misdemeanor, felony or other offense. He shall also, upon request, give counsel and advice to such persons, in and about any charge against them upon which he is conducting the defense, and he shall prosecute all appeals to a higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion, such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction.

"He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in cases which, in the judgment of the Public Defender, the claims urged are valid and enforceable in the courts."

"He shall also, upon request, defend such persons in all civil litigation in which, in his judgment, they are being persecuted or unjustly harassed."

The primary work of the office is to provide legal representation for persons accused of a criminal offense in the Superior Court of our state and who are without funds to employ an attorney. In this manner the right to the aid of counsel, guaranteed by the Constitution of the United States, by the Constitution of the State of California and by the penal code of the State, becomes a reality to the individual defendant.

In addition to the Charter provisions, the State law enacted in 1943 (Penal Code Sections 4852.01, et seq.) provides that persons previously convicted of felonies, who have thereafter complied with certain conditions, may initiate proceedings for the restoration of civil rights and after court hearing apply for pardon. If he has no counsel he shall be represented by the Public Defender (see Section 4852.02, Penal Code). The work entailed in these procedures calls for meticulous care and accuracy and involves much detail.

The office for the year embraces the Public Defender, Chief Deputy Public Defender, and fourteen Deputy Public Defenders, all of whom must be attorneys regularly admitted to practice in all of the courts of the State. The attorneys are required to devote all of their time to the work of the office and are not permitted any outside private practice. The clerical staff consists of two secretaries, three law stenographers and one

stenographer. In 1946 provision was made for the employment of an investigator in the department and during the year the Bureau of Investigation was composed of two full time investigators.

The main office of the Public Defender is located in the Hall of Records, in the Civic Center of Los Angeles. In February, 1946, a branch office was opened to serve the departments of the Superior Court in Long Beach. The Long Beach office is staffed with a Deputy Public Defender and a secretary. The criminal departments of the Superior Court functioning in Pasadena, Pomona and Santa Monica are served by deputies working out of the main office.

The Long Beach office has been functioning one year and five months. The work done there has amply justified the action of the Board of Supervisors in creating it. Prior to the opening of the office the work of the Long Beach courts consumed almost all of the time of one deputy and yet he was required to spend a considerable part of his time in traveling to and from the main office to the courts in which he worked. By having a deputy resident in Long Beach he is not only able to care more adequately for the work of the department in the Long Beach courts but he is also able to devote the time formerly used in travel to the better service of the people in that community who have sought and are entitled to the service of the Public Defender's Office.

Reference has been made to the action of the Board of Supervisors authorizing a Bureau of Investigation in this department. In September of 1946 the first investigator was appointed.

The work of the bureau is confined almost exclusively to the criminal jurisdiction of the office. The investigator's duties are comparable to those of investigators in any private law office or in the District Attorney's office, locating witnesses and making field investigations of cases assigned to him by trial deputies in the department.

It should be pointed out that prior to the time that provision was made for a Bureau of Investigation the work of an investigator was done by the deputy to whom the respective cases were assigned to prepare for trial. Not only were these deputies not trained to do investigating work but in many instances even when their investigations were fruitful they were unable to take full advantage of the information which they had obtained and yet serve as trial lawyers. From every viewpoint the former system was unsatisfactory.

The creation of the Bureau of Investigation has made it possible for the trial deputies to carry an increased case load because they are relieved of the loss of time formerly spent in field investigation. The work of the Bureau was of such signal success that in January, 1940, the employment of a second investigator was authorized.

By reason of the fact that as far as we know this is the only office of Public Defender which has a Bureau of Investigation it would seem proper to point out that this phase of the work of the office has resulted in economies far in excess of the cost of the bureau.

Through careful investigation we have been able to dispose of many cases which otherwise would have had to be tried. In almost every trial in which there has been an investigation the duration of the trial is shortened by reason of the fact that the deputy is fully advised as to the evidence to be presented and is able to present it expeditiously. Thus substantial savings in trial costs are accomplished.

COMPOSITE STATISTICAL RECORD OF THE CRIMINAL WORK OF THE OFFICE FOR THE FISCAL YEARS 1947-48 and 1948-49

	Number of Cases 1947-48	Number of Cases 1948-49	Court Appearances 1947-48	Court Appearances 1948-49
Los Angeles*	2,775	2,890	9,535	11,520
Long Beach	237	259	820	798
Pasadena	112	122	375	427
Violations of probation	183	224	220	272
Civil Insanity Jury Trials	22	20	47	45
Rehabilitation Petitions	33	42	162	180
Contributing to Delinquency	176	186	480	465
	3,538	3,733**	11,639	13,709

* Includes Santa Monica, 85 cases
Pomona (6 months) 25 cases

** 3733 cases involved 4081 defendants

Unfinished Cases	Los Angeles	Long Beach
Trials	156	3
Probation and sentence	217	11
Pleas	61	2
Other proceedings	5	1
	441	17

From the above it is apparent the Public Defender's Office each year is carrying an increase in the volume of work. The increase in county population no doubt accounts for this factor.

SUMMARY OF CRIMINAL TRIALS

	1947-48		1948-49
Trials disposed of by pleas of guilty	492		805
Trials disposed of by dismissal	60		180
Trials disposed of by off calendar	5		27
Trials in which private counsel substituted	277		198
Trials pending (6/30/48)	97	(6/30/49)	158
Trials completed to verdict	686		713
Total trials tried or disposed of	1,619		2,081

The above figures include Los Angeles, Long Beach, Pasadena, Santa Monica and Pomona. No attempt is made to segregate them for this report.

APPEALS

One appeal was taken during the fiscal year and is now pending.

BUREAU OF INVESTIGATION

	1947-48	1948-49
Criminal cases handled	563	754
Civil cases handled	21	27
Total cases received for investigation	584	781
Defendants represented, criminal	643	876
Persons interviewed in field	2,622	3,473
Persons subpoenaed at interview	261	309
Total hours earned overtime	755	1,114

The item "hours earned overtime" is inserted not because of claim for compensation but to indicate the case load and volume of work. The investigators receive no compensation for overtime.

CHARGES INVESTIGATED

(Without reference to the number of defendants.)

	1947-48	1948-49
Robbery	124	151
Attempted robbery	9	25
Grand Theft	119	150
Burglary	113	134
Attack, Deadly Weapon	62	85
Murder	22	23
Att/Murder	12	19
Attempted Murder	3	1
Manslaughter	4	1
Rape	25	26
Attempted Rape	3	1
Assault/Rape	4	1
Checks NSF	15	10
Forgery	42	74
Narcotics	50	57
Arson	12	9
Kidnaping	10	21
Contributing	7	8
Deadly Weapons Act	3	7
Petty Theft/Prior	7	21
266 & 288 P.C.	37	38
Pimp & pandering	1	0
Incest	5	2
Receiving Stolen Property	2	4
Violation of Probation	3	3
Escape	1	0
Assault/Force	7	32
273d P.C.	9	7
480, 501 & 502 V.C.	12	11
502 V.C.	43	43
Mayhem	4	2
Bigamy	1	0
False Imprisonment	2	0
Extortion	0	2
Bookmaking	0	1
Miscellaneous	2	0
	820	1,097

CIVIL JURISDICTION

	1947-48		1948-49
Applications in which service was given	7,743		8,143
Applications rejected:			
(a) Refused	1,034	711	
(b) Referred to attorney	4,433	3,719	
	5,467		4,430
*Applications referred to other agencies and unclassified	3,554		3,008
Accepted cases (see next table)	1,858		2,127
Total applications for assistance	18,622		17,626

*Because the subject matter was not within the office jurisdiction - (example - real property) or applicant able to pay a fee.

DETAIL OF ACCEPTED CASES

	1947-48	1948-49
Illegal attachments - garnishments, and other persecution cases	1,099	1,536
Guardianships	272	222
Waivers of premarital test	296	223
Wage claims and miscellaneous	191	146
Total accepted cases	1,858	2,127

RECOVERED FOR CLIENTS

	1947-48	1948-49
Wages released from illegal attachments - garnishments	$41,179.32	$41,999.95
Defense in civil cases	4,332.88	4,491.84
Goods released	101.00	200.00
Wages collected	143.02	156.42
Miscellaneous items	3,485.12	4,359.32
Collected on cases pending 7/1/47	5,573.24	7/1/48 3,134.80
	$54,814.48	$75,503.59

All figures regarding civil cases include the Long Beach office.

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ANNUAL REPORT
OF
PUBLIC DEFENDER OF LOS ANGELES COUNTY
July 1, 1949, to June 30, 1950

ELLERY E. CUFF
PUBLIC DEFENDER

REPORT OF THE PUBLIC DEFENDER

July 1, 1949, to June 30, 1950

The Public Defender's office of Los Angeles County was created by provisions in the County Charter and since the Charter's adoption has been one of the regular departments of Los Angeles County government.

The primary work of the office is to provide legal representation for persons accused of criminal offenses in the Superior Court and who are without counsel and without funds or property with which to employ such assistance. In this manner the right to the aid of counsel, guaranteed by the Constitution of the United States, by the Constitution of the State of California and by the Penal Code of the State, becomes a reality to the individual defendant.

The office also is required to give aid in a limited civil class by prosecuting actions for the collection of wages and other demands of persons who are not financially able to employ counsel in cases where the amount involved does not exceed $100 and in which it appears the claims are valid and enforcible. The office is also required to defend such persons in civil litigation in which it appears they are being persecuted or unjustly harassed.

In addition to the Charter provisions, the State has enacted in 1943 (Penal Code Sections 4852.01, et seq.) provides that persons previously convicted of felonies, who

have thereafter complied with certain conditions, may initiate proceedings for the restoration of civil rights and after court hearing apply for pardon. If he has no counsel he shall be represented by the Public Defender (see Section 4853.36, Penal Code). The work entailed in these procedures calls for meticulous care and accuracy and involves much detail.

The office for the year embraces the Public Defender, Chief Deputy Public Defender, and fifteen Deputy Public Defenders, all of whom must be attorneys regularly admitted to practice in all of the courts of the State. The attorneys are required to devote all of their time to the work of the office and are not permitted any outside private practice. The office also has an investigation staff of three. The clerical staff consists of one secretary, four law stenographers and one stenographer.

The main office of the Public Defender is located in the Hall of Records, in the Civic Center of Los Angeles. In February, 1948, a branch office was opened to serve the departments of the Superior Court in Long Beach. The Long Beach office is staffed with a Deputy Public Defender and a law stenographer. The criminal departments of the Superior Court functioning in Pasadena, Pomona and Santa Monica are served by deputies working out of the main office.

Reference is made to the investigation staff. The work of this staff is confined almost exclusively to the criminal jurisdiction of the office. The investigators'

duties are comparable to those of investigators in any private law office or in the District Attorney's office, locating witnesses and making field investigations of cases assigned to them by trial deputies in the department. It would seem proper to point out that this phase of the work of the office has resulted in economies.

Through careful investigation we have been able to dispose of many cases which otherwise would have had to be tried, and in almost every trial in which there has been an investigation the duration of the trial is shortened by reason of the fact that the trial deputy is fully advised as to the evidence to be presented and is able to present it expeditiously. Thus substantial savings in trial costs are accomplished.

COMPOSITE STATISTICAL RECORD
OF CRIMINAL WORK OF OFFICE FOR
FISCAL YEAR JULY 1, 1949, TO JUNE 30, 1950

Number of new cases received:

Los Angeles	3,716	felonies (includes Pasadena, Santa Monica and Pomona)
Long Beach	326	felonies
Contributing to Delinquency	185	misdemeanors
Violations of Probation:		
Los Angeles	277	(includes Pasadena, Santa Monica & Pomona)
Long Beach	55	
Civil Insanity for Jury Trial	26	
Miscellaneous proceedings:		
Motions to Modify Probation:		
Los Angeles	20	
Long Beach	4	
Psycho. Delinquent Petitions	6	
Habeas Corpus Petitions	3	
Juvenile Petitions	4	
Rehabilitation Proceedings Initiated	51	
	4,677	

The number of cases handled in 1948-1949 was 3,733 or an increase of 944 for 1949-1950.

Definitized cases:	Los Angeles,(including Pasadena, Santa Monica and Pomona)	Long Beach
Trials	151	10
Probation and sentence	204	24
Pleas	44	5
Other Miscellaneous Proceedings	9	1
	408	40

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

JULY 1, 1949, TO JUNE 30, 1950

Disposition		Number of Cases
Pleaded guilty:		
Master Calendar Departments	1,734	
Trial Departments	986	1,693
Substituted out - no pretrial preparation		158
Substituted out - after pretrial preparation		223
*Dismissed, placed off calendar or otherwise disposed of without trial		182
Contributing to delinquency - pleading preliminary hearing but later disposing of without trial by plea of guilty, off calendar or *dismissal		167
Trial by jury (to verdict)		159
Trial by court (to verdict)		614
Civil insanity:		
By jury to verdict		20
By court to verdict		5
Substituted out after trial commenced		1
		4,119

*A number of dismissals occurred after full investigation disclosed evidence proving the defendant's innocence and such evidence turned over to the District Attorney who after verifying would dismiss. Thus a good number of useless trials were involved.

Appeals: One appeal was taken during the year.

STATISTICAL RECORD OF THE CRIMINAL WORK OF THE OFFICE IN THE BRANCH COURTS OF PASADENA, SANTA MONICA AND POMONA.

JULY 1, 1949, to JUNE 30, 1950

Number of Cases:	Pasadena	Santa Monica	Pomona
New cases	156	172	77
Violations of Probation	5	9	43
Motions to modify probation	2	1	3
	161	182	123

The large number of probation violations handled by the Pomona court is attributed to the fact that the judge there had presided in a criminal department in Los Angeles for a number of years previous and the cases he handled there in which probation was granted were transferred to Pomona when a violation of probation charge was filed. In a year or two more this type of appearance will subside to but a few a year. However, the violations of probation in Los Angeles would have a corresponding increase.

As to the branch courts in Pasadena, Santa Monica and Pomona it is well to note the increase over the previous year:

	1949-50	1948-49
Pasadena	156	122
Santa Monica	172	85
Pomona	77	25 (6 months)

CIVIL JURISDICTION
JULY 1, 1949, to JUNE 30, 1950

Applications in which advice was given		8,512
Applications rejected:		
(a) Refused	560	
(b) Referred to attorney	1,611	4,183
*Applications referred to other agencies and unclassified		3,715
Accepted cases (see next table)		1,473
Total applications for assistance		18,883

*Because the subject matter was not within the office jurisdiction - (example-real property) or applicant able to pay a fee

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments	1,600
Guardianships	207
Persecutions - other than exemptions and invalid assignments	164
Wage claims and miscellaneous	278
Waivers of premarital test	167
	2,436

RECOVERIES FOR CLIENTS

Wages released from illegal attachments - garnishments	$71,313.38
Defense in civil cases	3,790.26
Goods released	627.44
Wages collected	none
Miscellaneous items	140.00
Collected on cases pending 7/1/49	186.88
	$75,957.96

Total appearances in court on civil cases 577

All figures regarding civil cases include the Long Beach office.

BUREAU OF INVESTIGATION

JULY 1, 1949, to JUNE 30, 1950

Criminal cases handled	738
Civil cases handled	28
Total cases received for investigation	766

Defendants represented, criminal	810
Persons interviewed in field	3,501
Persons subpoenaed at interview	317

BUREAU OF INVESTIGATION
CHARGES INVESTIGATED
JULY 1, 1949, to JUNE 30, 1950

Robbery	166	288 & 288a, Penal Code	51
Att. Robbery	17	Contributing	10
Receiving Stolen Property	2	Child stealing	2
Section 556	1	Rape	15
Burglary	149	Att. Rape	2
Att. Burglary	11	Incest	3
Attack Deadly Weapon	97	Att. Incest	2
ADW/Murder	16	Forgery	78
Assault/Force	1	CNEF	73
Assault/GBI	17	503 V.C.	36
Assault/Robbery	2	480 & 501 V.C.	17
Assault/Rape	5	Arson	6
Section 273d	6	Att. Arson	1
Murder	24	Malicious Burning	1
Manslaughter	4	Escape	2
Mayhem	4	Parole	1
Grand Theft	82	Violation of Probation	1
Att. Grand Theft	2	Rehabilitation	4
Grand Theft/Person	28	Narcotics	38
Petty Theft	20	Viol. D.W.C.L.	10
Bookmaking	2	Kidnapping	6
Violation Election Code	2	Att. Kidnapping	2
Civil	28	Kidnapping/Robbery	30
Att. Grand Theft/Person	2	Miscellaneous	11
		TOTAL CHARGES INVESTIGATED	1,101

FINANCIAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1949, to June 30, 1950

MONEYS RECEIVED

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from claimants for costs and from defendants indebted to said persons so represented: $981.40

No moneys belonging to the County of Los Angeles were collected.

MONEYS EXPENDED

Total Salaries paid		$142,946.78
Total Outlay Expenditures:		
Law Books	159.21	
Furniture & Furnishings	201.08	360.29
Total Maintenance & Operation		1,774.75
		$147,081.82

ANNUAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1950 to June 30, 1951

ELLERY E. CUFF

PUBLIC DEFENDER

Report of the Public Defender

July 1, 1930 to June 30, 1931

The Public Defender's office of Los Angeles County was created by provisions in the County Charter and since the Charter's adoption has been one of the regular departments of Los Angeles County government.

The primary work of the office is to provide legal representation for persons accused of criminal offenses in the Superior Court and who are without counsel and without funds or property with which to employ such assistance. In this manner the right to the aid of counsel, guaranteed by the Constitution of the United States, by the Constitution of the State of California and by the Penal Code of the State, becomes a reality to the individual defendant. It is for this type of case the office is best known. In Los Angeles the District Attorney and his deputies are specialists in criminal law. In the Public Defender's office a like situation prevails. This permits most cases to be handled with dispatch and inequalities reduced to a minimum.

The office also is required to give aid in a limited civil class by prosecuting actions for the collection of wages and other demands of persons who are not financially able to employ counsel in cases where the amount involved does not exceed $150 and in which it appears the claims are valid and enforcible. The office is also required to defend such persons in civil litigation in which it appears they are being persecuted or unjustly harassed.

In addition to the Parker provisions, the State law enacted in 1947 (Penal Code Sections 4852.01, et seq.) provides that persons previously convicted of felonies, who have thereafter complied with certain conditions, may initiate proceedings for the restoration of civil rights and after court hearing apply for pardon. If he has no counsel he shall be represented by the Public Defender (see Section 4852.09, Penal Code). The work entailed in these proceedings calls for meticulous care and accuracy and involves much detail.

The office for the year embraces the Public Defender, Chief Deputy Public Defender, and fifteen Deputy Public Defenders, all of whom must be attorneys regularly admitted to practice in all of the courts of the State. The attorneys are required to devote all of their time to the work of the office and are not permitted any outside private practice. The office also has an investigation staff of three. The clerical staff consists of one secretary, four Law stenographers and one stenographer.

The main office of the Public Defender is located in the Hall of Records, in the Civic Center of Los Angeles. In February, 1940, a branch office was opened to serve the departments of the Superior Court in Long Beach. The Long Beach office is staffed with a Deputy Public Defender and a Law stenographer. The criminal departments of the Superior Court functioning in Pasadena, Pomona and Santa Monica are served by deputies working out of the main office.

Reference is made to the investigation staff. The work of this staff is confined almost exclusively to the criminal jurisdiction of the office. The investigators' duties are comparable to those of investigators in any private law office or in the District Attorney's office, locating witnesses and making field investigations of cases assigned to them by trial deputies in the department. It would seem proper to point out that this phase of the work of the office has resulted in economy, which is reflected and measured by the number of dismissals noted, in many of which evidence, unimpeachable, was discovered showing the defendant's complete innocence.

Thus by careful investigation we have been able to dispose of many cases which otherwise would have had to be tried, and in almost every trial in which there has been an investigation the duration of the trial is shortened by reason of the fact that the trial deputy is fully advised as to the evidence to be presented and is able to present it expeditiously. Thus substantial savings in trial costs are accomplished.

STATISTICAL REPORT
OF CRIMINAL WORK OF OFFICE FOR
FISCAL YEAR JULY 1, 1950 to JUNE 30, 1951

Number of new cases received:

Los Angeles	3035	felonies
Pasadena	138	"
Pomona	96	"
Santa Monica	173	"
Long Beach	364	"
Contributing to Delinquency	100	misdemeanors
	3901	

Violations of Probation:

Los Angeles	227
Pasadena	10
Pomona	46
Santa Monica	10
Long Beach	39
	332

Civil Insanity for Jury trial	22

Miscellaneous proceedings, including
Psychopathic Delinquent Petitions;
Habeas Corpus Petitions;
Juvenile Petitions;
Motions to Modify Probation:

Los Angeles	27
Pasadena	4
Pomona	2
Santa Monica	2
Long Beach	1
	36

Rehabilitation Proceedings initiated	24
	4211

Unfinished cases pending 7-1-51:	Los Angeles (inc. Pasadena, Santa Monica, and Pomona)	Long Beach
Trials	210	9
Probation and Sentence	194	25
Pleas	43	7
Other Misc. Proceedings	19	-
	466	41

*Pomona still shows a large percentage of probation violators but this is attributed to the fact that the judge presiding there had presided in a criminal department in Los Angeles for a number of years previous and the cases he handled there in which probation was granted were transferred to Pomona as violations occurred involving those cases.

SUMMARY OF DISPOSITION OF CRIMINAL CASES

JULY 1, 1950 to JUNE 30, 1951

Disposition		Number of Cases
Plended guilty:		
Master Calendar Department	1,296	
Trial Departments	924	
		2220
Substituted out - no pretrial preparation		100
Substituted out - after pretrial preparation		190
*Dismissed, placed off calendar or otherwise disposed of without trial		373
Continuing to delinquency - handled preliminary hearing but later disposing of without trial by plea of guilty, off calendar or dismissal or substitutions		110
Trial by jury (to verdict)		140
Trial by court (to verdict)		664
Civil insanity:		
By jury to verdict	13	
By court to verdict	5	
Substituted out after trial sentenced	0	
		20
Violations of Probation		317
Miscellaneous Proceedings		55
		4,189

*A number of dismissals occurred after full investigation disclosed evidence proving the defendant's innocence and such evidence turned over to the District Attorney who after verifying would dismiss. Thus a good number of unclear trials were avoided.

Appeals: One appeal was taken during the year.

CIVIL JURISDICTION
JULY 1, 1950 to JUNE 30, 1951

Applications in which advice was given		9,353
Applications rejected:		
(a) Refused	500	
(b) Referred to attorney	2,497	
		2,997
*Applications referred to other agencies and unsolicited		2,794
Accepted cases (see next table)		5,343.
Total applications for assistance		19,930

*Because the subject matter was not within the office jurisdiction (example - real property) or applicant able to pay a fee.

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments	3,301
Guardianships	139
Persecutions - other than exemptions and invalid assignments	236
Wage claims and miscellaneous	514
Waivers of preverbal test	243
	5,343

RECOVERED FOR CLIENTS

Wages released from illegal attachments - garnishments	$110,282.34
Defense in civil cases	2,068.40
Goods released	150.00
Wages collected	368.40
Miscellaneous items	6,352.20
Collected on cases pending 7-1-50	2,430.00
	$122,451.94

Total appearances in court on civil cases 732

All figures regarding civil cases include the Long Beach office.

BUREAU OF INVESTIGATION

JULY 1, 1950 to JUNE 30, 1951

Criminal cases handled	632
Civil cases handled	72
Total cases received for investigation	704

Defendants represented, criminal	900
Persons interviewed in field	4,219
Persons subpoenaed at interview	471

BUREAU OF INVESTIGATION
CRIMES INVESTIGATED
JULY 1, 1950 to JUNE 30, 1951

Robbery	107	288 & 288a	22
Att. Robbery	3	Contributing	11
Receiving Stolen Property	3	Child Stealing	2
Burglary	170	Rape	23
Att. Burglary	4	Att. Rape	2
Attack Deadly Weapon	34	Incest	11
[illegible]	18	Forgery	70
[illegible]	4	CCCF	56
[illegible]	18	503 V.C.	14
Assault/Robbery	4	480 & 501 V.C.	21
Assault/Rape	3	504a V.C.	1
Section 2734	11	Arson	3
Murder	14	Pimping and Pandering	6
Att. Murder	2	Escape	3
Manslaughter	5	Rehabilitation	4
246 P.C.	1	Narcotics	71
Explos.	3	Viol. D.W.C.L.	8
Grand Theft	110	Kidnapping	1
Grand Theft/Person	32	Kidnapping/Robbery	8
Petty Theft plus prior convic.	21	Miscellaneous	1
Bookmaking	4	Civil	32
		TOTAL CRIMES INVESTIGATED	903

ANNUAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1930 to June 30, 1931

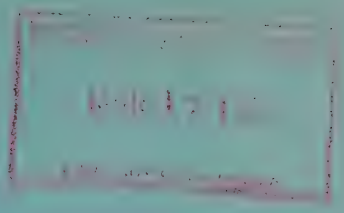
Moneys Received

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from clients for costs and from defendants indebted to said persons so represented: $252.07

No moneys belonging to the County of Los Angeles were collected.

County Expenses

Total salaries paid		$150,282.74
Total Outlay Expenditures:		
Law Books	$73.04	
Furniture & Furnishings	259.84	
		334.88
Total Maintenance & Operation		3,403.33
		$153,970.95



ANNAUL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1951 to June 30, 1952

ELLERY E. CUFF

PUBLIC DEFENDER

REPORT OF THE PUBLIC DEFENDER

July 1, 1951 to June 30, 1952

The County Charter, under which the office of Public Defender was created, provides that upon request by the defendant or upon order of the court, the Public Defender shall defend, without expense to them, all persons who are not financially able to employ counsel and who are charged, in the superior court, with the commission of any contempt, misdemeanor, felony or other offense. He shall also, upon request, give counsel and advice to such persons, in and about any charge against them upon which he is conducting the defense, and he shall prosecute all appeals to a higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion, such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction.

He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed $100, and in which, in the judgment of the Public Defender, the claims urged are valid and enforceable in the courts.

The Charter also provides that each county or township officer, board or commission shall have the powers and perform the duties now or hereafter prescribed by general law, and by this Charter, as to such officer, board or commission.

In 1943 the State enacted a law creating a "procedure for restoration of rights and application for pardon," after a convicted person had served his term of imprisonment. This is commonly referred to as the "Rehabilitation Act" and it prescribes in detail the conditions and circumstances to be followed by those desiring to avail themselves of the benefits. The act also provides that the applicant, if he has no counsel, shall be represented by the Public Defender.

In 1949 the State Legislature amended the Government Code in defining the duties of the Public Defender by requiring the Public Defender to represent persons having no attorney or the financial means of employing one, who are charged with the commission of any contempt or offense triable in the superior court at all stages of the proceedings, including the preliminary examination.

This latter amendment necessitated a slight increase in personnel to handle the additional duties imposed on the office. However, the effect of this would seem to have accomplished beneficial results. Excluding the areas embraced in the cities of Los Angeles and Long Beach, there is a substantial increase in the disposition of cases in the municipal or justice courts in cases where felony complaints were filed. Stating it another way, where such complaints were filed we find a large percentage are disposed of in the lower courts by dismissal, or pleas to some crime commensurate with the facts of the case, thereby reducing the number of

defendants being held to answer. Every time we can avoid putting the machinery of the superior court in motion, it represents a substantial saving to the county.

By having an attorney trained in criminal law appear at the preliminary hearing, proper cross-examination or evidence produced by the defense often brings to light that the crime charged was not committed at all or that the facts, if showing a crime was committed, do not amount to a felony.

The office for the year embraced the Public Defender, Chief Deputy and fifteen Deputy Public Defenders. To this number two Deputy Public Defenders were added in December, 1951, to handle preliminary hearings as mentioned hereinbefore. Until June 30, 1952, these two deputies were hired on a temporary basis.

The attorneys are required to devote all of their time to the duties of the office and are not permitted any outside private practice.

The office has an investigation staff of three, one Lieutenant and two Investigators. The clerical staff consists of one Secretary, two Legal Secretaries, two Intermediate Stenographers and one Stenographer.

The main office of the Public Defender is located in the Hall of Records, in the Civic Center of Los Angeles. Several years ago a branch office was opened to serve the departments of the superior court in Long Beach. The Long

Beach office is staffed with a Deputy Public Defender and a Legal Secretary. The criminal departments of the superior court functioning in Pasadena, Pomona and Santa Monica are served by deputies working out of the main office.

The work of the investigation staff is confined almost exclusively to the criminal jurisdiction of the office. The Investigators' duties are comparable to those of investigators in any private law office or in the District Attorney's office, locating witnesses and making field investigations of cases assigned to them by trial deputies in the department. This phase of the work of the office has resulted in substantial economy, which is reflected and measured by the number of dismissals noted, in many of which evidence, unimpeachable, was discovered showing the complete innocense of the defendants.

Thus, by careful investigation, we have been able to dispose of many cases which otherwise would have had to be tried, and in almost every trial in which there has been an investigation the duration of the trial is shortened by reason of the fact that the trial deputy is fully advised as to the evidence to be presented and is able to present it expeditiously. Thus substantial savings in trial costs are accomplished.

COMPOSITE STATISTICAL RECORD
OF CRIMINAL WORK OF OFFICE
July 1, 1951 to June 30, 1952

NUMBER OF NEW CASES RECEIVED:			
Los Angeles	2,971		
Contributing	78		
Pasadena	212		
Pomona	105		
Santa Monica	220		
Long Beach	264	3,850	
VIOLATIONS OF PROBATION:			
Los Angeles	298		
Pasadena	23		
*Pomona	62		
Long Beach	64		
Santa Monica	17	464	
CIVIL INSANITY WITH JURY TRIAL		16	
MOTIONS TO MODIFY PROBATION:			
Los Angeles	11		
Pasadena	4		
Pomona	15		
Santa Monica	12		
Long Beach	10	52	
PRELIMINARY HEARINGS		365	
MISCELLANEOUS:			
Sex psychopathics, habeas corpus, juvenile petitions, etc.		39	4,786

* * * * *

REHABILITATION PROCEEDINGS:		
Rehabilitation proceedings initiated	38	
Hearings on rehabilitation petitions	10	
Certificates of good character granted	9	
Certificates of good character denied	1	58
UNFINISHED CASES:		
Pending 7-1-51 and finished during current year - all courts		507
UNFINISHED CASES:		
Pending 6-30-52 - all courts		390
APPEALS:		2

Two appeals in criminal cases were taken during the year. One is still pending and in the other case the defendant committed suicide before the higher court took final action.

*Most of these are cases in which the judge had granted probation while presiding in one of the criminal courts in Los Angeles over a number of years. Hence the violation proceedings were transferred to Pomona.

* * * * *

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

July 1, 1951 to June 30, 1952

Dispositions			Number of Cases
MASTER CALENDAR DISPOSITIONS:			
Pleaded guilty		1,406	
Substituted out - no pretrial preparation		153	
Dismissed		53	
Transferred to Juvenile Court		37	
Placed off calendar because:			
Sex psycho.-State Hospital	11		
Presently insane	4		
Civil Insanity petitions files	10		
Defendants unavailable - bench warrants issued	4		
Other miscellaneous reasons	7	36	1,685
TRIAL COURT DISPOSITIONS:			
Pleaded guilty		1,043	
Substituted out after pretrial preparation		217	
Dismissed		176	
Transferred to Juvenile Court		15	
Placed off calendar because:			
Civil insanity petitions filed	10		
Presently insane	3		
Defendants unavailable - bench warrants issued	2		
Action taken in other collateral cases	5		
Other miscellaneous reasons	13	33	1,484
TRIAL BY JURY TO VERDICT - ON FELONY CASES			140
TRIAL BY COURT, WITHOUT JURY, TO VERDICT - ON FELONY CASES			587
TRIAL AFTER PETITION OF CIVIL INSANITY FILED (CRIMINAL CASES):			
Charged with crime but because of mental condition permission granted to file insanity petition and the criminal case placed off calendar			10

July 1, 1951 to June 30, 1952

Dismissed out - no jurisdiction/venue		102	
Dismissed		45	
Transferred to Juvenile Court		37	
[illegible]	11		
[illegible]	4		
[illegible]	10		
[illegible]	4		
Other miscellaneous reasons	7	26	1,695

Placed on Probation:			
Placed guilty		1,013	
Dismissed out other proper disposition		117	
Dismissed		176	
Transferred to Juvenile Court		15	
Placed on Probation because:			
[illegible]	10		
[illegible]	3		
[illegible]			
[illegible]			
[illegible]			
Other miscellaneous reasons	13	73	1,494

[illegible] 140

[illegible] 567

[illegible]:
[illegible]
[illegible]
[illegible]
Placed on [illegible] 10

(Continued) Dispositions		Number of Cases
VIOLATIONS OF PROBATION	464	
Placed off calendar - defendant not available for hearing and bench warrant issued	4	468
PRELIMINARY HEARINGS:		
Held to answer	259	
Transferred to Juvenile Court	1	
Pleaded guilty to misdemeanor	38	
Dismissed or otherwise disposed of	67	365
MISCELLANEOUS:		
Petitions to modify probation:		
Granted	28	
Denied	4	
Substituted out	1	33
Juvenile petitions appeared on:		
Off calendar	2	
Dismissed	1	3
Youth Authority petitions to dismiss:		
Granted		2
Sex Psychopathics:		
Returned from State Hospital for sentence or other disposition		23
CONTRIBUTING TO DELINQUENCY OF MINOR CASES:		
Pleaded guilty	28	
Dismissed or placed off calendar	12	
Substituted out	22	
Transferred to Juvenile Court	5	
Trials by court - no jury	4	
Trials by jury	1	72

CIVIL JURISDICTION
July 1, 1951 to June 30, 1952

Applications in which advice was given		6,945
Applications rejected:		
Refused	510	
Referred to attorneys	2,816	3,326
*Applications referred to other agencies and unclassified		2,652
Accepted cases (see next table)		3,176
Total applications for assistance		16,099

*Because the subject matter was not within the office jurisdiction (example - real property) or applicant able to pay a fee.

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments	2,234
Guardianships	203
Persecutions - other than exemptions and invalid assignments	142
Wage claims and miscellaneous	194
Waivers of premarital test	132
	2,905

RECOVERED FOR CLIENTS

Wages released from illegal attachments - garnishments	$119,061.16
Defense in civil cases	5,771.81
Wages collected	92.58
Miscellaneous items	3,507.16
Collected on cases pending 7-1-51	6,985.85
	$135,418.56
Total appearances in court on civil cases	680
One appeal was taken in a civil action and carried to a successful conclusion.	1

All figures regarding civil cases include the Long Beach office.

REPORT OF BUREAU OF INVESTIGATION

July 1, 1951 to June 30, 1952

Criminal cases handled	1,577
Civil cases handled	47
Total cases received for investigation	1,624

*Defendants represented, criminal	1,702
Persons interviewed in field	6,172
Persons subpoenaed at interview	523

*A case sometimes involves more than one defendant.

FINANCIAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1951 to June 30, 1952

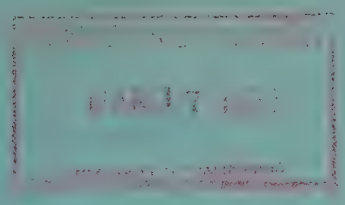
MONEYS RECEIVED

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from claimants for costs and from defendants indebted to said persons so represented: $965.57

No moneys belonging to the County of Los Angeles were collected.

MONEYS EXPENDED

Total salaries paid		$166,846.85
Total Outlay Expenditures:		
Books	$92.78	
Furniture & Furnishings	250.60	343.38
Total Maintenance & Operation		5,337.08
		$172,527.31



ANNUAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1952 to June 30, 1953

ELLERY E. CUFF,

PUBLIC DEFENDER

REPORT OF THE PUBLIC DEFENDER

July 1, 1952 to June 30, 1953

For a better understanding of this report, it is believed a very brief outline of the duties and limitations of the Public Defender should be included, as well as a word relating to the organization of the office.

The County Charter, under which the office of Public Defender was created, provides that upon request by the defendant or upon order of the court, the Public Defender shall defend, without expense to them, all persons who are not financially able to employ counsel and who are charged, in the superior court, with the commission of any contempt, misdemeanor, felony or other offense. He shall also, upon request, give counsel and advice to such persons, in and about any charge against them upon which he is conducting the defense, and he shall prosecute all appeals to a higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion, such appeal will, or might reasonably be expected to result in a reversal or modification of the judgment of conviction.

He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed $100, and in which, in the judgment of the Public Defender, the claims urged are valid and enforceable in the courts.

The Charter also provides that each county or township officer, board, or commission shall have the powers and perform the duties now or hereafter prescribed by general law, and by this Charter, as to such officer, board or commission.

In 1943 the State enacted a law creating a "Procedure for restoration of rights and application for pardon," after a convicted person had served his term of imprisonment. This is commonly referred to as the "Rehabilitation Act," and it prescribes in detail the conditions and circumstances to be followed by those desiring to avail themselves of the benefits. The act also provides that the applicant, if he has no counsel, shall be represented by the Public Defender.

While the procedure set forth in the codes is comparatively simple, experience has taught us each step must be set up and covered with the strictest accuracy, even to the minutest detail, in order to achieve the result desired. Undoubtedly there abided in the minds of those who must ultimately act in these matters the thought (or perhaps fear) that many frauds would be attempted by unworthy applicants, and therefore extreme caution must be practiced.

In 1949 the State Legislature amended the Government Code in defining the duties of the Public Defender by requiring the Public Defender to represent persons having no attorney or the financial means of employing one, who are charged with the commission of any contempt or offense triable in the superior court at all stages of the proceedings, including the preliminary examination.

This latter amendment necessitated a slight increase in personnel to handle the additional duties imposed on the office. However, the effect of this would seem to have accomplished beneficial results. Excluding the areas embraced in the cities of Los Angeles and Long Beach, there is a substantial increase in the disposition of cases in the municipal or justice courts in cases where felony complaints were filed. Stating it another way, where such complaints were filed we find a larger percentage are disposed of in the lower courts by dismissal, or pleas to some crime commensurate with the facts of the case, thereby reducing the number of defendants who otherwise would have been held to answer. Every time we can avoid putting the machinery of the superior court in motion, it represents a substantial saving to the county.

By having an attorney trained in criminal law appear at the preliminary hearing, proper cross- examination or evidence produced by the defense often brings to light that the crime charged was not committed at all or that the facts, if showing a crime was committed, do not amount to a felony. Not only that, but there are numerous instances where the accused is held to answer and the foundation is laid paving the way for an early disposition of the case when it arrives in the superior court. (This is partially reflected by the number of master calendar dispositions.)

At the extra session of the Legislature in 1952 the sexual psychopath laws were amended to the extent that

if an alleged sex psychopath appearing at his hearing, "Has no attorney, the judge may appoint an attorney for him, or the judge may order the public defender to represent him at the hearing, if he determines that the person is not financially able to employ counsel."

The office for the year embraced the Public Defender, Chief Deputy and seventeen Deputy Public Defenders.

The attorneys are required to devote all of their time to the duties of the office and are not permitted any outside private practice.

The office has an investigation staff of four - one Lieutenant and three Investigators. The clerical staff consists of one Secretary, one Intermediate Secretary, three Legal Secretaries, one Intermediate Stenographer and one Stenographer.

The main office of the Public Defender is located in the Hall of Records, in the Civic Center of Los Angeles. Several years ago a branch office was opened to serve the departments of the superior court in Long Beach. The Long Beach office is staffed with a Deputy Public Defender and a Legal Secretary. The criminal departments of the superior court functioning in Pasadena, Pomona and Santa Monica are served by deputies working out of the main office.

A word should be added relating to the functions of the office on the civil side. This is the less spectacular phase of the work, but none the less it is important both from

the viewpoint as to the rights of the individual involved and indirectly as it affects county government expenditures. The greater portion of accepted cases involve the release of wages from attachment. Releasing the wages, which may be wrongfully attached, of the head of a family otherwise destitute, of course, helps the family and frequently keeps them from being forced to apply for assistance at the County Charities Department or some other charitable institution, but mostly county. When they are driven to such action it involves considerable expense to the county. It is bad for the individual to be on charity in more ways than one. It is bad for the county when an individual is a charge thereof.

The office exercises extreme care that none but those properly eligible for legal assistance are accepted. The number of such cases is reflected elsewhere in this report. Even with good times and plenty of employment there are those unfortunates, the unwise and those who at the time indebtedness was incurred were all right but subsequent reverses of one sort or another, death to some member of the family, illness, injuries, and the like, have altered their ability to carry their full measure of financial commitments, who find themselves defendants in law suits. And, of course, there are the improvident who buy beyond their means. These are exploited and imposed upon by overzealous venders who get them to sign contracts calling for payments far beyond their abilities to pay, but not at all understood by the individual. And many

are the unwary who sign contracts to get out of one bad situation only to learn to their consternation that they are in deeper financial mires than before. No small number are victims of the most palpable frauds. Any or all of these usually have families dependent entirely upon their weekly earnings. These are the type of cases handled by the office, either by way of taking some immediate action to ameliorate their condition or giving them appropriate advice as sound judgment may dictate.

The work of the investigation staff is confined almost exlusively to the criminal jurisdiction of the office. The Investigators' duties are comparable to those of investigators in any private law office or the District Attorney's office - locating witnesses and making field investigations of cases assigned to them by trial deputies in the department. The policy of the office is to investigate thoroughly and ascertain the true facts, regardless of whether it proves favorable or unfavorable to the accused. This phase of the work of the office has resulted in substantial economies which are reflected and measured b y the number of dismissals noted, in many of which unimpeachable evidence was discovered showing the complete innocence of the defendants although at first the evidence appeared strong against them. On the other hand, the facts brought to light by the same type of investigation has been instrumental in bringing about a substantial number of pleas of guilty in proper cases.

By such careful investigation the chance of miscarriage of justice is reduced to a minimum, equitable dispositions of many cases are summarily adjusted which otherwise would have had to be tried, and in almost every trial in which there has been an investigation the duration of the trial is shortened by reason of the fact that the trial deputy is fully advised as to the evidence to be presented and is able to present it expeditiously. While substantial savings are effected in trial costs, great care is exercised that the rights of an accused person are in no manner sacrificed.

COMPOSITE STATISTICAL RECORD
OF CRIMINAL WORK OF OFFICE
July 1, 1952 to June 30, 1953

NUMBER OF NEW CASES RECEIVED (excluding preliminary hearings):			
Los Angeles:			
Felonies	3,080		
Contributing	96		
Pasadena	268		
Pomona	119		
Santa Monica	208		
Long Beach	316	4,087	
VIOLATIONS OF PROBATION:			
Los Angeles	247		
Pasadena	23		
Pomona	44		
Santa Monica	17		
Long Beach	53	384	
CIVIL INSANITY WITH JURY TRIAL		25	
MOTIONS TO MODIFY PROBATION:			
Los Angeles	3		
Pasadena	5		
Pomona	6		
Santa Monica	4		
Long Beach	7	25	
PRELIMINARY HEARINGS		1,176	
SEX PSYCHOPATHIC HEARINGS		88	
PRESENT INSANITY HEARINGS (arising from criminal charges)		11	
MISCELLANEOUS: Habeas corpus, contempts, juvenile petitions, etc.		61	5,857

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REHABILITATION PROCEEDINGS:		
Rehabilitation proceedings initiated	37	
Hearings on rehabilitation petitions	27	
Certificates of good character granted	24	
Certificates of good character denied without prejudice	3	91
UNFINISHED CASES: Pending 7-1-52 and finished during current year - all courts		390
UNFINISHED CASES: Pending 6-30-53 - all courts		599
APPEALS		2

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

July 1, 1952 to June 30, 1953

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Dispositions			Number of cases
MASTER CALENDAR DISPOSITIONS:			
Pleaded guilty		1,824	
Substituted out - no pretrial preparation (Substituted out after plea of guilty 37)		145	
Dismissed		76	
Transferred to Juvenile Court		20	
Placed off calendar because:			
Presently insane	7		
Civil insanity petitions filed	14		
Defendants unavailable - bench warrants issued	3	24	2089
TRIAL COURT DISPOSITIONS:			
Pleaded guilty		764	
Substituted out after pretrial preparation		199	
Dismissed		113	
Transferred to Juvenile Court		10	
Placed off calendar because:			
Civil insanity petitions filed	2		
Presently insane	3		
Defendants unavailable - bench warrants issued	7		
Action taken in other collateral cases or other miscellaneous reasons	4	16	1102
TRIAL BY JURY TO VERDICT - ON FELONY CASES			110
TRIAL BY COURT, WITHOUT JURY, TO VERDICT - ON FELONY CASES			507
TRIAL AFTER PETITION OF CIVIL INSANITY FILED (CRIMINAL CASES):			
Charged with crime but because of mental condition permission granted to file insanity petition and the criminal case placed off calendar			10

ontinued) DISPOSITIONS		Number of cases
OLATIONS OF PROBATION	376	
Placed off calendar - defendant not available for hearing and bench warrant issued	2	378
ELIMINARY HEARINGS:		
Held to answer	880	
Transferred to Juvenile Court	12	
Pleaded guilty to misdemeanor	81	
Dismissed or otherwise disposed of	39	
Substitutions	164	1,176
SCELLANEOUS:		
Petitions to modify probation:		
Granted	22	
Denied	1	
Substituted out or off calendar	2	25
outh Authority petitions to dismiss:		
Granted	4	
Denied	1	5
ex Psychopathics:		
Returned from State Hospital for sentence or other disposition		24
NTRIBUTING TO DELINQUENCY OF MINOR CASES:		
leaded guilty	51	
ismissed or placed off calendar	16	
ubstituted out	14	
ransferred to Juvenile Court	1	
rials by court - no jury	9	
rials by jury	1	92

CIVIL JURISDICTION

July 1, 1952 to June 30, 1953

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Applications in which advice was given:		
Los Angeles	7,244	
Long Beach	211	7,455
Applications rejected:		
Refused:		
Los Angeles	346	
Long Beach	45	
Referred to attorneys:		
Los Angeles	2,113	
Long Beach	13	2,517
*Applications referred to other agencies and unclassified:		
Los Angeles	1,899	
Long Beach	220	2,119
Accepted cases (see next table):		
Los Angeles	3,321	
Long Beach	358	3,679
		15,770

*Because the subject matter was not within the office jurisdiction (example - real property) or applicant able to pay a fee.

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments:		
Los Angeles	2,596	
Long Beach	356	2,952
Guardianships:		
Los Angeles	176	
Long Beach	1	177
Persecutions - other than exemptions and invalid assignments:		
Los Angeles	191	
Long Beach	1	192
Wage claims and miscellaneous:		
Los Angeles	63	
Long Beach	-	63
Waivers of premarital test:		
Los Angeles	266	
Long Beach	-	266
		3,650

CIVIL JURISDICTION

(continued)

RECOVERED FOR CLIENTS

Wages released from illegal attachments - garnishments:		
Los Angeles	$146,142.73	
Long Beach	18,682.15	$164,824.88
Defense in civil cases:		
Los Angeles	2,962.78	
Long Beach	-	2,962.78
Wages collected:		
Los Angeles	25.00	
Long Beach	-	25.00
Miscellaneous items:		
Los Angeles	970.92	
Long Beach	-	970.92
Collected on cases pending 7-1-52		1,616.55
		$170,400.13

Total appearances in court on civil cases:		
Los Angeles	836	
Long Beach	12	848
Appeals		2

REPORT OF BUREAU OF INVESTIGATION

July 1, 1952 to June 30, 1953

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Criminal cases handled	1,615
Civil cases handled	17
	1,632
*Defendants represented, criminal	1,720
Persons interviewed in field	6,300
Persons subpoenaed at interview	465

*A case sometimes involves more than one defendant.

CHARGES INVESTIGATED
July 1, 1952 to June 30, 1953

Robbery	171	647a Penal Code	1
Att. Robbery	12	Forgery	165
Murder	23	CNSF	136
Att. Murder	3	Escape	40
Grand Theft	57	Violation Probation	3
Grand Theft/Person	24	Narcotics	190
Grand Theft/503 Vehicle Code	170	Receiving Stolen Property	7
Petty Theft	29	501 Vehicle Code	29
Burglary	250	503 Vehicle Code	8
Att. Burglary	7	480 Vehicle Code	13
Burglary/Grand Theft	18	506a Vehicle Code	4
Burglary/Grand Theft/503 V.C.	11	273d Penal Code	7
Manslaughter	4	347 Penal Code	1
Assault Deadly Weapon	61	Indecent Exposure	1
ADW/Murder	23	Failure to provide	5
Assault/Force	12	Abortion	1
Assault/GBI	17	Bigamy	3
Assault/Robbery	2	Conspiracy	1
Assault/Rape	10	Civil Insanity	10
Rape	38	Bookmaking	3
Att. Rape	4	Arson	9
288 and 288a Penal Code	68	Child Stealing	1
Contributing to delinquency of minor	8	Deadly Weapon Control Law	21
Incest	1	Assault with caustic chemicals	1
Kidnap	6	Att. Grand Theft	2
Kidnap/Robbery	8	Miscellaneous	10
Att. Kidnap	1	Civil	17
		TOTAL CHARGES INVESTIGATED	1,732

FINANCIAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY
July 1, 1952 to June 30, 1953

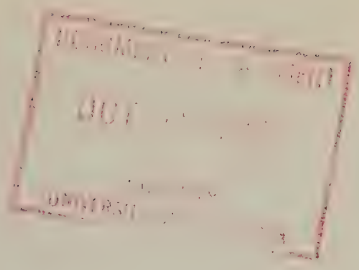
MONEYS RECEIVED

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from claimants for costs and from defendants indebted to said persons so represented:	$965.57

No moneys belonging to the County of Los Angeles were collected.

MONEYS EXPENDED

Total salaries paid		$203,914.54
Total Outlay Expenditures:		
Books	$141.84	
Furniture & Furnishings	612.09	753.93
Total Maintenance & Operation		5,374.59
		$210,043.06



ANNUAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1953 to June 30, 1954

ELLERY E. CUFF

PUBLIC DEFENDER

REPORT OF THE PUBLIC DEFENDER

July 1, 1953 to June 30, 1954

- - -

To dispel any confusion which may arise in interpreting this report, it is believed a very brief outline of the duties and limitations of the Public Defender should be included, as well as a word relating to the organization of the office.

JURISDICTION:

The County Charter, under which the office of Public Defender was created, provides:

"Sec. 23. Upon request by the defendant or upon order of the court, the Public Defender shall defend, without expense to them, all persons who are not financially able to employ counsel and who are charged, in the Superior Court, with the commission of any contempt, misdemeanor, felony or other offense. He shall also, upon request, give counsel and advice to such person, in and about any charge against them upon which he is conducting the defense, and he shall prosecute all appeals to the higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion, such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction.

"He shall also, upon request, prosecute actions for the collection of wages and of other demands of

persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed $100 and in which, in the judgment of the Public Defender the claims urged are valid and enforceable in the courts."

The charter further provides:

"Sec. 25. Each county or township officer, Board or Commission shall have the powers and perform the duties now or hereafter prescribed by general law, and by this Charter, as to such officer, Board or Commission."

Hence, although the Los Angeles County Public Defender is a creation of the County Charter, this section comprehends the general laws of the State as adding to or increasing the powers and duties of the office.

Powers and Duties Added by State Law:

In 1943 the State enacted a law creating a "Procedure for restoration of rights and application for pardon" after a convicted person had served his term of imprisonment. This is commonly referred to as the "Rehabilitation Act," and it prescribes in detail the conditions and circumstances to be followed by those desiring to avail themselves of the benefits. The act also provides that the applicant, if he has no counsel, shall be represented by the Public Defender.

In 1949 the State Legislature amended the Government Code in defining the duties of the Public Defender by requiring the Public Defender to represent persons having no attorney or the financial means of employing one, who

are charged with the commission of any contempt or offense triable in the Superior Court at all stages of the proceedings, including the preliminary examination. (Gov. Code, sec. 27706.)

At the extra session of the Legislature in 1952 the sexual psychopath laws were amended to the extent that if an alleged sex psychopath appearing at his hearing "has no attorney, the judge may appoint an attorney for him, or the judge may order the public defender to represent him at the hearing, if he determines that the person is not financially able to employ counsel." (H&S Code, sec. 5511.)

PERSONNEL:

The office, at the start of the fiscal year, embraced the Public Defender, Chief Deputy and twenty Deputy Public Defenders. An upward surge in case load necessitated some increase and two more deputies were added (by resolution) before the year was ended. All are attorneys. All but three of the deputies are assigned to the handling of criminal cases. The three otherwise assigned devote their full time to matters embraced within the civil jurisdiction of the office.

The office has an investigation staff of four - one Lieutenant and three Investigators. The clerical staff consists of one Secretary, one Intermediate Secretary, three Legal Secretaries, one Intermediate Stenographer and one Stenographer.

LOCATION:

The main office of the Public Defender is located in the Hall of Records, in the Civic Center of Los Angeles. A number of years ago a branch office was opened to serve the departments of the Superior Court in Long Beach. The Long Beach office is staffed with two Deputy Public Defenders and one Legal Secretary. The criminal departments of the Superior Court functioning in Pasadena, Pomona and Santa Monica are served by deputies working out of the main office.

DUTIES:

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> "It is the duty of every member of the legal profession to go carefully over the record before perfecting an appeal. If it is evident that a conflict in the evidence has been resolved by the trier of fact and that there has been no error of law, it is then the lawyer's duty to advise his client of the hopelessness of such an appeal. Litigants should never be put to the expense, and courts and counsel to the waste of

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the like, have altered their ability to carry their full measure of financial commitments and they ultimately find themselves defendants in law suits. And, of course, there are the improvident who buy beyond their means. These are exploited and imposed upon by overzealous vendors who by use of extravagant statements and luring enticements get them to sign contracts calling for payments far beyond their abilities to pay, but not at all understood by the individual. And many are the unwary who sign contracts to get out of one bad situation only to learn to their consternation that they are in deeper financial mires than before. No small number are victims of the most palpable frauds. Any or all of these usually have families dependent entirely for their daily food and shelter upon their weekly earnings. These are the type of cases handled by the office, either by way of taking some immediate action to ameliorate their condition or giving them appropriate advice as sound judgment may dictate.

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The work of the investigation staff is confined almost exclusively to the criminal jurisdiction of the office. The Investigators' duties are comparable to those of investigators in any private law office or the District Attorney's office - locating witnesses and making field investigations of cases assigned to them by trial deputies in the department. The policy of the office is to investigate thoroughly and ascertain the true facts, regardless of whether it proves favorable or unfavorable to the accused. This phase of the

work of the office has resulted in substantial economies which are reflected and measured by the number of dismissals noted, in many of which unimpeachable evidence was discovered showing the complete innocence of the defendants although at first the evidence appeared strong against them. On the other hand, the facts brought to light by the same type of investigation has been instrumental in bringing about a substantial number of pleas of guilty in proper cases.

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COMPOSITE STATISTICAL RECORD
OF CRIMINAL WORK OF OFFICE
July 1, 1953 to June 30, 1954

- - -

NUMBER OF NEW CASES RECEIVED (excluding preliminary hearings):			
Los Angeles:			
Felonies	4,207		
Contributing	94		
Pasadena	288		
Pomona	176		
Santa Monica	286		
Long Beach	403	5,454	
VIOLATIONS OF PROBATION:			
Los Angeles	341		
Pasadena	31		
Pomona	52		
Santa Monica	28		
Long Beach	43	495	
CIVIL INSANITY WITH JURY TRIAL:		67	
MOTIONS TO MODIFY PROBATION:			
Los Angeles	6		
Pasadena	2		
Pomona	6		
Santa Monica	1		
Long Beach	3	18	
PRELIMINARY HEARINGS:		2,059	
SEX PSYCHOPATHIC HEARINGS (All courts):		104	
PRESENT INSANITY HEARINGS (Arising from criminal charges) (All courts):		17	
MISCELLANEOUS:			
Habeas corpus, contempts, juvenile petitions, etc. (All courts):		54	8,268

* * * *

REHABILITATION PROCEEDINGS:		
Rehabilitation proceedings initiated	40	
Hearings on rehabilitation petitions	11	
Certificates of good character granted	11	
Certificates of good character denied without prejudice	-	62
UNFINISHED CASES: Pending 7-1-53 and finished during current year (All courts)		599
UNFINISHED CASES: Pending 6-30-54 (All courts)		753
APPEALS		5

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

July 1, 1953 to June 30, 1954

- - -

MASTER CALENDAR DISPOSITIONS:		
Pleaded guilty	2530	
(Substituted out after plea - 11)		
Substituted out before plea	174	
Dismissed	122	
Transferred to Juvenile Court	35	
Placed off calendar because:		
Presently insane	8	
Civil insanity petition filed	5	
Defendants unavailable - bench warrants issued	2	
Miscellaneous reasons	4	2,880
TRIAL COURT DISPOSITIONS (no trial):		
Pleaded guilty	907	
(Substituted out after plea - 12)		
Substituted out (private attorney procured or in pro. per)	295	
Dismissed	136	
Transferred to Juvenile Court	5	
Off calendar because:		
Presently insane	8	
Civil insanity petition filed	1	
Defendants unavailable - bench warrants issued	5	
Miscellaneous reasons	3	1,360
TRIAL BY JURY - TO VERDICT (jury cases);		181
TRIAL BY COURT - TO DECISION (without jury):		795

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES
(continued)

VIOLATIONS OF PROBATION	488	
Placed off calendar - defendant not available for hearing and bench warrant issued	3	491
PRELIMINARY HEARINGS:		
Held to answer	1,526	
Transferred to Juvenile Court	3	
Pleaded guilty to misdemeanor	146	
Dismissed or otherwise disposed of	75	
Substitutions	310	2,060
CONTRIBUTING TO DELINQUENCY OF MINOR CASES:		
Pleaded guilty	57	
Dismissed or placed off calendar	13	
Substituted out	14	
Transferred to Juvenile Court	1	
Trials by court - no jury	8	
Trials by jury	2	95
MISCELLANEOUS:		
Petitions to modify probation:		
Granted	14	
Denied	5	19
Youth Authority petitions to dismiss:		
Granted	8	
Denied	-	8
Insanity proceedings certified from Municipal Court		17
Sex psycho original hearings		75
Sex psychopathics returned from State Hospital for sentence or other disposition		33
Habeas corpus, writs of mandate, prohibition, parole hearings, etc.		20

CIVIL JURISDICTION

July 1, 1953 to June 30, 1954

\- - -

Applications in which advice was given:		
Los Angeles	6,297	
Long Beach	421	6,718
Applications rejected:		
Refused:		
Los Angeles	207	
Long Beach	102	309
Referred to attorneys:		
Los Angeles	2,254	
Long Beach	31	2,285
*Applications referred to other agencies and unclassified:		
Los Angeles	5,578	
Long Beach	350	5,928
Accepted cases (see next table):		
Los Angeles	4,164	
Long Beach	677	4,841
		20,081

*Because the subject matter was not within the office jurisdiction (example - real property) or applicant able to pay a fee.

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments:		
Los Angeles	3,385	
Long Beach	618	4,003
Guardianships:		
Los Angeles	198	
Long Beach	1	199
Persecutions - other than exemptions and invalid assignments:		
Los Angeles	335	
Long Beach	53	388
Wage claims and miscellaneous:		
Los Angeles	118	
Long Beach	5	123
Waivers of premarital test:		
Los Angeles	193	
Long Beach	-	193
		4,906

CIVIL JURISDICTION
(Continued)

RECOVERED FOR CLIENTS

Wages released from illegal attachments - garnishments:		
Los Angeles	$192,368.71	
Long Beach	34,811.21	$227,179.92
Defense in civil cases:		
Los Angeles	12,021.15	
Long Beach	-	12,021.15
Miscellaneous items:		
Los Angeles	3,443.59	
Long Beach	-	3,443.59
Collected on cases pending 7-1-53		7,079.30
Total collected 7-1-53 to 6-30-54		$249,723.96

Total appearances in court on civil cases:		
Los Angeles	1,013	
Long Beach	19	1,032

REPORT OF BUREAU OF INVESTIGATION

July 1, 1953 to June 30, 1954

- - -

Criminal cases handled	2,114
Civil cases handled	37
	2,151
*Defendants represented, criminal	2,245
Persons interviewed in field	7,862
Persons subpoenaed at interview	649

*A case sometimes involves more than one defendant.

CHARGES INVESTIGATED

July 1, 1953 to June 30, 1954

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Robbery	214	286 P.C.	3
Att. Robbery	24	Forgery	226
Murder	32	CNSF	175
Att. Murder	4	Narcotics	278
Grand Theft	90	Escape	36
Grand Theft/Person	39	Receiving Stolen Property	8
Att. Grand Theft	3	ADW/Murder	17
Grand Theft/503 V.C.	196	501 V.C.	20
Petty Theft	29	480 V.C.	18
Burglary	364	503 V.C.	9
Att. Burglary	10	504a V.C.	1
Burglary/Grand Theft	25	Bookmaking	5
Burg./Grand Theft/503 V.C.	4	Child Stealing	3
Manslaughter	6	Arson	8
Assault Deadly Weapon	90	Pimping	2
Assault/Force	7	Conspiracy	4
Assault/GBI	21	Extortion	1
Assault/Rape	9	246 P.C.	1
Rape	78	Violation Probation	2
Att. Rape	1	Bigamy	2
288 and 288a P.C.	85	Perjury	5
Contrib. to Del. Minor	5	244 P.C.	2
Incest	4	Deadly Weapons Control Law	29
Kidnap	14	273d P.C.	10
Kidnap/Robbery	13	Civil Insanity	36
Failure to Provide	1	Miscellaneous	13
Abortion	1	Civil	37

TOTAL CHARGES INVESTIGATED 2,400

FINANCIAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

MONEYS RECEIVED

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from claimants for costs and from defendants indebted to said persons so represented:	$965.57

No moneys belonging to the County of Los Angeles were collected.

MONEYS EXPENDED

Total salaries		$236,695.02
Total Outlay Expenditures:		
Books	$157.09	
Furniture & Furnishings	171.35	328.44
Total Maintenance & Operation		7,670.08
		$244,693.54

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ANNUAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1954 to June 30, 1955

ELLERY E. CUFF

PUBLIC DEFENDER

FOREWARD

During the past several years the various jurisdictions throughout the nation have been evincing a growing interest in the Los Angeles County Public Defender system. This has become evident from the increasing number of inquiries received from officials, representatives of legislatures, bar groups, educators, schools and other organizations, groups and individuals. Some of them even went as far as to send their personal representatives here to make a detailed study of the office and how it functions.

From these inquiries, it is apparent that the functioning of the Los Angeles County Public Defender's office has attracted nationwide attention of a favorable sort. It is looked to as a model by other jurisdictions interested in creating a public defender system as a department or branch in their county or state governments.

Having in mind the general trend of questioning pertaining to the office, its philosophy, history and organization, it is believed an annual report covering these points would be timely.

ELLERY E. CUFF

FUNCTION AND PURPOSE OF THE OFFICE

HISTORICAL CONSIDERATIONS:

The idea of a public defender or the equivalent is not entirely new. According to some authorities the records of ancient Roman law indicate the existence of an officer with duties similar, and such was recognized in their legal system.

The civil laws of France and Spain contain provisions for an officer whose duty and function parallel, in some respects, our concept of the duty and function of a public defender. However, there is strong reason to believe these officers were either pretty much under the domination of totalitarian forms of government or otherwise under the control of prosecuting authorities and therefore the exercise of their full duty was greatly restricted, if not entirely ineffective, in the majority of cases.

In the United States, where the government and laws are such that such an office would seem most proper in order to give full effect to certain guaranteed rights, the public defender system is comparatively new. The first public defender office in the United States originated in Los Angeles County.

Probably at no juncture in the life of western society is the Christian and democratic doctrine of the dignity and paramount importance of the individual shown in clearer opposition to the ideology of both communism

and fascism than here. The separate ways of life stand in precise opposition. On the one hand is the doctrine that the state is all, the individual nothing. On the other, is the profound belief that the individual, his rights and his safeguards make up the central nexus of existence, and the state only justifies its existence by protecting these rights and safeguards.

The first ten amendments to the United States Constitution, the so-called "Bill of Rights", expressly secure the right of all men to enjoy equal protection and equal liberty under the law. Of these, the sixth provides, in part, as follows:

> "In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury . . . and to have the assistance of counsel for his defense."

The several states of the nation have similar provisions. Article I, Section 13 of our California Constitution provides:

> "In criminal prosecutions, in any court whatever, the party accused shall have the right to a speedy and public trial; to have the process of the court to compel the attendance of witnesses in his behalf, and to appear and defend, in person and with counsel. No person shall be twice put in jeopardy for the

same offense; nor be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property without due process of law. The legislature shall have power to provide for the taking, in the presence of the party accused and his counsel, of depositions of witnesses, in criminal cases other than cases of homicide, when there is reason to believe that the witness, from inability or other cause, will not attend at the trial."

Those interested in the administration of criminal justice soon realized the right of counsel in itself alone did not make effective the equality sought, as expressed in these great documents. An accused person with means to employ an attorney had the elements of his defense aggressively presented at the trial by a skillful lawyer, while the accused men without money found himself unjustly handicapped, and left to his own devices was helpless. These inequalities were manifest from the beginning of our government. Various methods to obviate the differences were employed without uniform results. The assigned counsel system was employed, as was the volunteer counsel system. Without going into the relative defects and shortcomings of each, one can say they were not functioning satisfactorily to the end that inequalities were not still a source of grave complaint.

At the turn of the century in this growing community of Los Angeles, the judges and those civic minded groups and individuals interested in the administration of criminal justice recognized the problem with increasing concern. California has a constitutional provision authorizing counties to frame and adopt charters for their own government, found in Article XI, Section 7½. The amendment adding Section 7½ was proposed by the state legislature in 1911 and approved October 10th of the same year.

The section is extensive and comprehensive and outlines how a county must proceed to frame a charter and what it shall provide. Among other things it contains the proviso:

> "All charters framed under the authority given by this section, in addition to the matters herein above specified, may provide as follows:
>
> "For officers other than those required by the Constitution and laws of the state, or for the creation of any or all of such offices by boards of supervisors, for the election or appointment of persons to fill such offices, for the manner of such appointment, for the times at which and the terms for which such persons shall be so elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors."

Los Angeles County took advantage of this constitutional provision and framed a charter for its own government. The charter contains the provision for a public defender. In 1914 the office of Public Defender of Los Angeles County was opened, functioning as a regular department of county government.

The framers of the charter, with forethought concerning future developments, provided:

> "Sec. 25. Each county or township officer, Board or Commission shall have the powers and perform the duties now or hereafter prescribed by general law, and by this Charter, as to such officer, Board or Commission."

Hence, although the County Public Defender is a creation of the County Charter, this section comprehends the general laws of the state as defining, adding to or increasing the powers and duties of the office.

Within a few years Alameda County and the City and County of San Francisco followed Los Angeles County's example and established public defender offices.

In 1921 the Legislature of the State of California enacted a law empowering each county to create a public defender office, how he should be chosen, his qualifications, duties, etc. In this act the state law adopted the exact language of the Los Angeles County Charter in defining the duties of the office. (See Gen. Laws of 1921, Act 3672.)

From time to time the state legislature amended this act modifying or affecting the manner of appointment, qualifications, allowing one public defender to serve two or more counties, etc. (See Sec. 27700, Gov. Code.)

From its inception, the office adopted the policy of adhering to highest standards of legal ethics as promulgated by the American Bar Association, the State Bar of California and the California Professional Code.

JURISDICTION:

The County Charter, under which the office of public defender was created, provides:

> "Sec. 23. Upon request by the defendant or upon order of the court, the Public Defender shall defend, without expense to them, all persons who are not financially able to employ counsel and who are charged, in the Superior Court, with the commission of any contempt, misdemeanor, felony or other offense. He shall also, upon request, give counsel and advice to such person, in and about any charge against them upon which he is conducting the defense, and he shall prosecute all appeals to the higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion, such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction.

"He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed $100 and in which, in the judgment of the Public Defender the claims urged are valid and enforceable in the courts."

POWERS AND DUTIES ADDED BY STATE LAW:

In 1943 the state enacted a law creating a "Procedure for restoration of rights and application for pardon" after a convicted person had served his term of imprisonment. This is commonly referred to as the "Rehabilitation Act", and it prescribes in detail the conditions and circumstances to be followed by those desiring to avail themselves of the benefits. The act also provides that the applicant, if he has no counsel, shall be represented by the public defender.

In 1949 the state legislature amended the Government Code in defining the duties of the public defender by requiring the public defender to represent persons having no attorney or the financial means of employing one, who are charged with the commission of any contempt or offense triable in the superior court at all stages of the proceedings, including the preliminary examination (Gov. Code, Sec. 27706.)

At the extra session of the legislature in 1952

the sexual psychopath laws were amended to the extent that if an alleged sex psychopath appearing at his hearing "has no attorney, the judge may appoint an attorney for him, or the judge may order the public defender to represent him at the hearing, if he determines that the person is not financially able to employ counsel". (H. & S. Code, Sec. 5511.)

PERSONNEL:

The office, at the start of the fiscal year, embraced the Public Defender, Chief Deputy and twenty-three Deputies Public Defender. All but three of the deputies are assigned to the handling of criminal cases. The three otherwise assigned devote their full time to matters embraced within the civil jurisdiction of the office.

The office has an investigation staff of four - one Lieutenant and three Investigators. The clerical staff consists of one Senior Secretary, One Intermediate Secretary, three Legal Secretaries, one Intermediate Stenographer and one Stenographer.

LOCATION:

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Pasadena	216		
Pomona	175		
Santa Monica	291		
Long Beach	411	5,047	
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Los Angeles	459		
Pasadena	20		
Pomona	18		
Santa Monica	33		
Long Beach	43	573	
CIVIL INSANITY WITH JURY TRIAL:		50	
MOTIONS TO MODIFY PROBATION:			
Los Angeles	15		
Pasadena	1		
Pomona	4		
Santa Monica	5		
Long Beach	2	27	
PRELIMINARY HEARINGS:		2,360	
SEX PSYCHOPATHIC HEARINGS (All courts):		151	
PRESENT INSANITY HEARINGS (Arising from criminal charges) (All courts):		16	
MISCELLANEOUS:			
Habeas corpus, contempts, juvenile petitions, etc. (All courts);		61	8,285

* * * *

REHABILITATION PROCEEDINGS:			
Rehabilitation proceedings initiated		48	
Hearings on rehabilitation petitions		10	
Certificates of good character granted		10	
Certificates of good character denied without prejudice			68
UNFINISHED CASES:			
Pending 7-1-54 and finished during current year (All courts)			753
UNFINISHED CASES			
Pending 6-30-55 (All courts)			521
APPEALS			3

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

July 1, 1954 to June 30, 1955

- - -

MASTER CALENDAR DISPOSITIONS:		
Pleaded guilty	2,494	
(Substituted out after plea - 53)		
Substituted out before plea	203	
Dismissed	160	
Transferred to Juvenile Court	22	
Placed off calendar because:		
Presently insane	6	
Civil insanity petition filed	7	
Defendants unavailable - bench warrants issued	4	
Miscellaneous reasons	-	2,896
TRIAL COURT DISPOSITIONS (no trial):		
Pleaded guilty	795	
(Substituted out after plea - 20)		
Substituted out (private attorney procured or in pro.per.)	289	
Dismissed	106	
Transferred to Juvenile Court	3	
Off calendar because:		
Presently insane	13	
Civil insanity petition filed	1	
Defendants unavailable - bench warrants issued	4	
Miscellaneous reasons	5	1,216
TRIAL BY JURY - TO VERDICT (jury cases):		178
TRIAL BY COURT - TO DECISION (without jury):		905

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES
(continued)

VIOLATIONS OF PROBATION:		
Probation revoked	322	
Probation reinstated	226	
Substitions	21	
Sex Psycho.	4	573
PRELIMINARY HEARINGS:		
Held to answer	1,677	
Transferred to Juvenile Court	6	
Pleaded guilty to misdemeanor	158	
Dismissed or otherwise disposed of	101	
Substitutions	433	
Off Calendar - bench warrants issued	5	2,380
CONTRIBUTING TO DELINQUENCY OF MINOR CASES:		
Pleaded guilty	44	
Dismissed or placed off calendar	12	
Substituted out	27	
Transferred to Juvenile Court	2	
Trials by court - no jury	8	
Trials by jury	-	93
MISCELLANEOUS:		
Petitions to modify probation:		
Granted	26	
Denied	1	27
Youth Authority petitions to dismiss:		
Granted	9	
Denied	-	9
Insanity proceedings certified from Municipal Court		18
Sex psycho. original hearings		69
Sex psychopathics returned from State Hospital for sentence or other disposition		67
Habeas corpus, writs of mandate, prohibition, parole hearings, etc.		41

CIVIL JURISDICTION

July 1, 1954 to June 30, 1955

Applications in which advice was given:		
Los Angeles	6,339	
Long Beach	676	7,015
Applications rejected:		
Refused:		
Los Angeles	309	
Long Beach	64	373
Referred to attorneys:		
Los Angeles	2,420	
Long Beach	37	2,457
*Applications referred to other agencies and unclassified:		
Los Angeles	4,649	
Long Beach	263	4,912
Accepted cases (see next table)		
Los Angeles	4,617	
Long Beach	550	5,167
		19,924

*Because the subject matter was not within the office jurisdiction (example - real property) or applicant able to pay a fee.

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments:		
Los Angeles	3,521	
Long Beach	463	3,984
Guardianships:		
Los Angeles	285	
Long Beach	-	285
Persecutions - other than exemptions and invalid assignments:		
Los Angeles	172	
Long Beach	-	172
Wage claims and miscellaneous:		
Los Angeles	344	
Long Beach	87	431
Waivers of premarital test:		
Los Angeles	295	
Long Beach	-	295
		5,167

CIVIL JURISDICTION

(continued)

RECOVERED FOR CLIENTS

Wages released from illegal attachments - garnishments:		
Los Angeles	$218,055.45	
Long Beach	51,675.33	$269,730.78
Defense in civil cases:		
Los Angeles	11,805.95	
Long Beach	-	11,805.95
Miscellaneous items:		
Los Angeles	9,887.43	
Long Beach	-	9,887.43
Collected on cases pending 7-1-54		9,301.94
Total collected 7-1-54 to 6-30-55		$300,726.10

Total appearances in court on civil cases:		
Los Angeles	1,226	
Long Beach	6	1,232

REPORT OF BUREAU OF INVESTIGATION

July 1, 1954 to June 30, 1955

Criminal cases handled	1,707
Civil cases handled	15
	1,722

*Defendants represented, criminal	1,764
Persons interviewed in field	7,002
Persons subpoenaed at interview	435

*A case sometimes involves more than one defendant.

CHARGES INVESTIGATED

July 1, 1954 to June 30, 1955

Robbery	130	286 P.C.	1
Att. Robbery	16	Pimping	4
Murder	35	Indecent exposure	2
Att. Murder	1	Narcotics	267
Grand Theft	70	Forgery	198
Grand Theft/Person	23	Checks NSF	152
Att. Grand Theft	1	Receiving Stolen Property	2
Grand Theft/503 V.C.	152	Escape	20
Petty Theft	40	ADW/Murder	10
Burglary	270	501 V.C.	19
Att. Burglary	10	480 V.C.	13
Burglary/Grand Theft	9	503 V.C.	13
Manslaughter	6	506 V.C.	1
Assault Deadly Weapon	61	273d P.C.	8
Assault/Force	7	Civil Insanity	20
Assault/GBI	20	Miscellaneous	12
Assault/Rape	6	Civil	15
Rape	58	Arson	3
Att. Rape	3	Bookmaking	6
288 and 288a P.C.	97	Violation Probation	4
Contrib. to Del. Minor	4	Perjury	4
Incest	2	Extortion	2
Kidnap	6	Sex Psychopath	1
Kidnap/Robbery	7	Deadly Weapons Control Law	19
Abortion	1		

TOTAL CHARGES INVESTIGATED 1,737

FINANCIAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

MONEYS RECEIVED

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from claimants for costs and from defendants indebted to said persons so represented:	$999.57

No moneys belonging to the County of Los Angeles were collected.

MONEYS EXPENDED

Total Salaries		$260,488.14
Total Outlay Expenditures:		
Books	$165.52	
Furniture & Furnishings	867.45	1,032.97
Total Maintenance & Operation		8,858.95
		$270,380.06

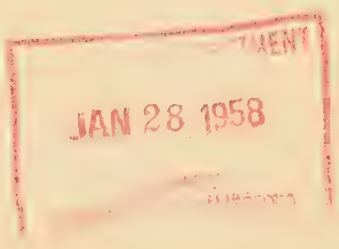
ANNUAL REPORT

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1955 to June 30, 1956

ELLERY E. CUFF

PUBLIC DEFENDER



ANNUAL REPORT FOR THE FISCAL YEAR 1955-56

LOS ANGELES COUNTY PUBLIC DEFENDER

The office of the Public Defender of the County of Los Angeles serves approximately five million people residing within its borders. While the population is steadily growing, the rise in the case load of the office is not steady, but fluctuates from season to season. The last two months of the fiscal year 1954-55 showed a decline in the number of cases received by the office. This case load continued at a low level until November 1955, then a gradual increase was evident and by March 1956 the office was again carrying a heavy case load. By the end of the fiscal year there were almost as many new felony cases as in the preceding year, which was one of the heaviest in the history of the office. However, the overall load, i.e., felony, sex psychopath, insanity, violation of probation, and other like cases, brought the load to a point exceeding the previous year by almost five hundred.

JURISDICTION AND DUTIES:

The California Government Code provides:

"Sec. 27706. The public defender shall perform the following duties:

"(a) Upon request of the defendant or upon order of the court, he shall defend, without

expense to the defendant, any person who is not financially able to employ counsel and who is charged with the commission of any contempt or offense triable in the superior court at all stages of the proceedings, including the preliminary examination. The public defender shall, upon request, give counsel and advice to such person about any charge against him upon which the public defender is conducting the defense, and shall prosecute all appeals to a higher court or courts of any person who has been convicted, where, in his opinion, the appeal will or might reasonably be expected to result in the reversal or modification of the judgment of conviction.

"(b) Upon request, he shall prosecute actions for the collection of wages and other demands of any person who is not financially able to employ counsel, where the sum involved does not exceed one hundred dollars ($100), and where, in the judgment of the public defender, the claim is valid and enforceable in the courts.

"(c) Upon request, he shall defend any person who is not financially able to employ counsel in any civil litigation in which, in the judgment of the public defender, the person is being persecuted or unjustly harassed.

"(d) Upon order of the court, he shall represent any person who is not financially able to employ counsel in proceedings under Chapter 4 of Part 1 of Division 6 of the Welfare and Institutions Code." (Sec. 5511 - Sex psychopaths.)

State law also provides that the Public Defender represent persons who seek a pardon and restoration of civil rights through rehabilitation proceedings, who have been convicted of a felony and served a term of imprisonment therefor. (Sec. 4852.08, Penal Code.)

In previous annual reports reference was made to the County Charter in defining the duties of the office. Because of state legislation on the functions of the office, enacted within the last decade, we quote the state law instead of the charter. The state law has added to and not deleted anything from the content of the County Charter provisions.

PERSONNEL:

The office, at the start of the fiscal year, embraced the Public Defender, Chief Deputy and twenty-three Deputies Public Defender. Because of the upsurge in the case load soon after the calendar year began, it was necessary to employ an additional deputy. All but three of the deputies are assigned to the handling of criminal cases. Those three deputies are assigned to matters embraced within the civil jurisdiction of the office.

The office had an investigation staff of four - one Lieutenant and three Investigators - until November 1955 when an additional Investigator was employed. The clerical staff consists of one Senior Secretary, one Intermediate Secretary, three Legal Secretaries, one Intermediate Stenographer and one Stenographer.

LOCATION:

The main office of the Public Defender is located in the Hall of Records, in the Civic Center of Los Angeles. A number of years ago a branch office was opened to serve the departments of the Superior Court in Long Beach. The Long Beach office is staffed with two Deputies Public Defender and one Legal Secretary. The criminal departments of the Superior Court functioning in Pasadena, Pomona and Santa Monica are served by deputies working out of the main office.

FUNCTIONS:

The work as it relates to the criminal phase - preliminary examinations, arraignments, pleas, trials, probationary hearings, violation of probation hearings, and modifications of probation, appeals, etc. - seems to be pretty well known.

As to the functions of the office in the civil division, this is the less spectacular phase of the work but nonetheless it is important both from the viewpoint as to the rights of the individual involved and indirectly as it affects county government expenditures. The greater

portion of accepted cases involve the release of wages from attachment. Releasing the wages, which may be wrongfully attached, of the head of a family otherwise destitute helps the family and frequently keeps them from being forced to apply for assistance from the county or from some charitable institution.

The office exercises extreme care that none but those properly eligible for legal assistance are accepted. Those who are not eligible are referred to some other proper agency or to private attorneys.

INVESTIGATORS:

The work of the investigation staff is confined almost exclusively to the criminal jurisdiction of the office. The Investigators' duties are comparable to those of investigators in any private law office or the District Attorney's office - locating witnesses and making field investigations of cases assigned to them by the trial deputies. The policy of the office is to investigate thoroughly and ascertain the true facts, regardless of whether it proves favorable or unfavorable to the accused. This phase of the work of the office has resulted in substantial economy which is reflected by the number of dismissals. In many instances unimpeachable evidence was discovered showing the complete innocence of the defendants although at first the evidence appeared strong against them. On the other hand, the facts brought to light by the same type of investigation have been instrumental in bringing about a substantial number of pleas of guilty in proper cases.

In the following statistical data it will be noticed the term "Master Calendar Department" is used. To avoid confusion, this term perhaps merits a brief explanation. In the central Los Angeles area there are eight superior court departments devoted to handling criminal cases exclusively. (This does not include the outlying branch courts.) One of these courts is designated the "Master Calendar" and all arraignments of felony cases first appear here. If on arraignment the defendant pleads guilty, the matter will be handled through to termination in the Master Calendar Department. If, on the other hand, the defendant pleads not guilty, the case is transferred to one of the other seven departments, which are designated "Trial Departments."

The areas served by branch courts, Long Beach, Santa Monica and Pasadena, where more than one department is in operation, a similar setup prevails, i.e., all arraignments initially appear in a Master Calendar Department in their respective areas.

COMPOSITE STATISTICAL RECORD OF CRIMINAL WORK OF OFFICE
July 1, 1955 to June 30, 1956

NUMBER OF NEW CASES RECEIVED (excluding preliminary hearings):			
Los Angeles:			
Felonies	3,786		
Contributing	111		
Long Beach	455		
Pasadena	261		
Pomona	181		
Santa Monica	263	5,057	
VIOLATIONS OF PROBATION:			
Los Angeles	481		
Long Beach	79		
Pasadena	28		
Pomona	23		
Santa Monica	33	644	
PRELIMINARY HEARINGS		2,560	
MISCELLANEOUS (all courts):			
Civil insanity (trials)	77		
Present sanity (certified from municipal court)	24		
Sex psychopath hearings	80		
Sex psychopaths returned for hearing	140		
Civil insanity petitions	109		
Motions (miscellaneous)	4		
Probation and sentence hearings (appointed for that purpose only)	31		
Juvenile petitions	4		
Psychopathic delinquent minors	2		
Fugitive warrant	1		
Modification of probation (petitions)	14		
Youth Authority dismissals	10		
Not guilty/insanity trials (certified from municipal court)	2		
Rehabilitation proceedings initiated	77		
Miscellaneous trial	1	576	8,837
UNFINISHED CASES (all courts): Pending 7-1-55 and finished during current year			521
UNFINISHED CASES (all courts): Pending 6-30-56			776
APPEALS			6
DEFENSE OF APPEAL BY PLAINTIFF			1
Number of people interviewed in office on criminal matters			3,324

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

July 1, 1955 to June 30, 1956

MASTER CALENDAR DISPOSITIONS (no trial):		
Pleaded guilty	2,306	
(Substituted out after plea - 37)		
Substituted out before plea	200	
Dismissed	143	
Transferred to Juvenile Court	30	
Placed off calendar because:		
Presently insane	6	
Defendants unavailable - bench warrants issued	4	
Miscellaneous reasons	1	2,690
TRIAL COURT DISPOSITIONS (no trial):		
Pleaded guilty	641	
(Substituted out after plea - 5)		
Substituted out (private attorney procured or in pro. per.)	235	
Dismissed	93	
Transferred to Juvenile Court	5	
Off calendar because:		
Civil insanity petition filed	2	
Defendants unavailable - bench warrants issued	6	
Presently insane	7	989
TRIAL BY JURY - TO VERDICT (jury cases):		139
TRIAL BY COURT - TO DECISION (without jury):		885
VIOLATIONS OF PROBATION:		
Probation revoked	321	
Probation reinstated	287	
Substitutions	20	
Sex Psychopaths	2	
Off calendar - defendant unavailable - bench warrants issued	3	633

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES
(continued)

PRELIMINARY HEARINGS:		
Held to answer	1,703	
Transferred to Juvenile Court	3	
Pleaded guilty to misdemeanor	212	
Dismissed or otherwise disposed of	100	
Substitutions	539	
Off calendar - defendant unavailable - bench warrants issued	6	2,563
CONTRIBUTING TO DELINQUENCY OF MINOR CASES:		
Pleaded guilty	38	
Dismissed or placed off calendar	32	
Substitutions	26	
Transferred to Juvenile Court	2	
Trials by court - no jury	4	
Trials by jury	2	104
MISCELLANEOUS PROCEEDINGS:		
Petitions to modify probation:		
Granted	11	
Denied	2	
Off calendar	1	14
Youth Authority petitions to dismiss		9
Juvenile petitions, motions and miscellaneous hearings		43
Insanity proceedings certified from municipal court (not guilty/insanity pleas)		22
Sex psychopath - original hearings		81
Sex psychopaths - returned from state hospital for sentence or other disposition		141
Rehabilitation proceedings:		
Granted	7	
Denied	-	
Closed for various reasons - dead, moved, abandoned, etc.	52	59

CIVIL JURISDICTION

July 1, 1955 to June 30, 1956

Applications in which advice was given:		
Los Angeles	6,576	
Long Beach	928	7,504
Applications rejected:		
Refused:		
Los Angeles	324	
Long Beach	60	384
Referred to attorneys:		
Los Angeles	2,970	
Long Beach	71	3,041
*Applications referred to other agencies and unclassified:		
Los Angeles	1,916	
Long Beach	102	2,018
Accepted cases (see next table):		
Los Angeles	3,083	
Long Beach	248	3,331

*Because the subject matter was not within the office jurisdiction; applicants not interviewed as no deputy available.

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments:		
Los Angeles	2,102	
Long Beach	207	2,309
Guardianships:		
Los Angeles	298	
Long Beach	-	298
Persecutions - other than exemptions and invalid assignments:		
Los Angeles	58	
Long Beach	41	99
Wage claims and miscellaneous:		
Los Angeles	326	
Long Beach	-	326
Waivers of premarital test:		
Los Angeles	198	
Long Beach	-	198
		3,230

CIVIL JURISDICTION

(continued)

RECOVERED FOR CLIENTS

Wages released from illegal attachments - garnishments:		
Los Angeles	$128,441.14	
Long Beach	11,301.87	$139,743.01
Defense in civil cases:		
Los Angeles	3,264.34	
Long Beach	-	3,264.34
Miscellaneous items:		
Los Angeles	8,157.42	
Long Beach	-	8,157.42
Collected on cases pending 7-1-55		9,390.85
Total collected 7-1-55 to 6-30-56		$160,555.62

Total appearances in court on civil cases:		
Los Angeles	1,113	
Long Beach	8	1,121

INVESTIGATION DIVISION

July 1, 1955 to June 30, 1956

Criminal cases investigated	2,340
Civil cases investigated	20
	2,360

*Defendants represented, criminal	2,392
Persons interviewed in field	9,021
Persons subpoenaed at interview	530

*A case sometimes involves more than one defendant.

INVESTIGATION DIVISION

(continued)

CHARGES INVESTIGATED

Robbery	140	286 P.C.	2
Att. Robbery	18	Pimping	3
Murder	44	Indecent exposure	2
Att.Murder	3	Narcotics	400
Grand Theft	80	Forgery	250
Grand Theft/Person	25	Checks NSF	175
Att. Grand Theft	4	Receiving Stolen Property	12
Grand Theft/503 V.C.	182	Escape	30
Petty Theft	62	ADW/Murder	31
Burglary	320	501 V.C.	27
Att. Burglary	12	480 V.C.	33
Burglary/Grand Theft	9	503 V.C.	25
Manslaughter	10	506 V.C.	1
Assault Deadly Weapon	80	273d P.C.	9
Assault/Force	7	Civil Insanity	20
Assault/GBI	20	Miscellaneous	16
Assault/Rape	6	Civil	20
Rape	74	Arson	4
Att. Rape	7	Bookmaking	7
288 and 288a P.C.	112	Violation Probation	4
Contrib.to del.minor	10	Perjury	6
Incest	4	Extortion	2
Kidnap	6	Sexual Psychopath	9
Kidnap/Robbery	7	Deadly Weapons Control Law	19
Abortion	1		

TOTAL CHARGES INVESTIGATED 2,360

FINANCIAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

MONEYS RECEIVED

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from claimants for costs and from defendants indebted to said persons so represented:	$965.57

No moneys belonging to the County of Los Angeles were collected.

MONEYS EXPENDED

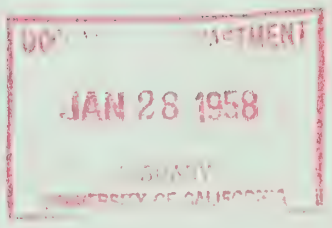
Total Salaries		$289,585.79
Total Outlay Expenditures:		
Books	$ 290.67	
Furniture & Furnishings	1,128.22	1,418.89
Total Maintenance & Operation		10,309.52
		$301,314.20

ANNUAL REPORT

PUBLIC DEFENDER OF LOS ANGELES COUNTY

ELLERY E. CUFF

PUBLIC DEFENDER



July 1, 1956 to June 30, 1957

ANNUAL REPORT FOR THE FISCAL YEAR 1956-57

LOS ANGELES COUNTY PUBLIC DEFENDER

The office of the Public Defender of the County of Los Angeles serves nearly five and one-half million people. The population is steadily increasing, thus bringing additional work. The work load does not uniformly parallel the population as it increases from month to month, or even year to year, but over the years does follow the population trend. Including all items, preliminary hearings, violation of probation hearings, sex psychopath hearings, etc., the figures for the following fiscal years will illustrate the intake of work in the criminal division:

1951-52	-	4,786 cases	
1952-53	-	5,857 "	
1953-54	-	8,268 "	
1954-55	-	8,285 "	
1955-56	-	8,837 "	
1956-57	-	10,878 "	(period covered in current report.)

The term "cases" as used herein is applied much as one would expect in a private attorney's office. Having been appointed (or otherwise brought in) to represent a defendant, it is denoted as "one case" through to termination, even though it may entail many interviews and numerous court appearances.

From the foregoing figures it appears the increase from 1951-52 to 1952-53 was not startling but pretty much to be expected as related to population increase. Then from 1952-53 to 1953-54 there was a sharp upsurge, some of which can be accounted for because of the added duty of handling preliminary hearings. The following year, 1954-55, shows an almost imperceptible increase. Nor was the next year, 1955-56, more than to be expected, but the past year, 1956-57, an unprecedented rise occurred.

percentagewise, as related to the number of criminal cases filed, it is believed the ratio of cases handled by the office remains about the same as in former years.

We are informed that the total number of felony complaints filed in Los Angeles County for 1956-57 was 15,046. Many of these terminated at the preliminary hearing level either by dismissals or pleas of guilty.

In the superior court there were filed:

Informations	11,390
Indictments	411
Total	11,801

There were 80 cases which, for legal reasons, the Public Defender could not represent and the court appointed private counsel under Section 987a of the Penal Code.

JURISDICTION AND DUTIES:

The California Government Code provides:

"Sec. 27706. The public defender shall perform the following duties:

"(a) Upon request of the defendant or upon order of the court, he shall defend, without expense to the defendant, any person who is not financially able to employ counsel and who is charged with the commission of any contempt or offense triable in the superior court at all stages of the proceedings, including the preliminary examination. The public defender shall, upon request, give counsel and advice to such person about any charge against him upon which the public defender is conducting the defense, and shall prosecute all appeals to a higher court or courts of any person who has been convicted, where, in his opinion, the appeal will or might reasonably be expected to result in the reversal or modification of the judgment of conviction.

"(b) Upon request, he shall prosecute actions for the collection of wages and other demands of any person who is not financially able to employ counsel, where the sum involved does not exceed one hundred dollars ($100), and where, in the judgment of the public defender, the claim is valid and enforceable in the courts.

"(c) Upon request, he shall defend any person who is not financially able to employ counsel in any civil litigation in which, in the judgment of the public defender, the person is being persecuted or unjustly harassed.

"(d) Upon order of the court, he shall represent any person who is not financially able to employ counsel in proceedings under Chapter 4 of Part 1 of Division 6 of the Welfare and Institutions Code." (Sec. 5511 - Sex Psychopaths.)

State law also provides that the public defender represent persons who seek a pardon and restoration of civil rights through rehabilitation proceedings, who have been convicted of a felony and served a term of imprisonment therefor. (Sec. 4852.08, Penal Code.)

PERSONNEL:

The office, at the start of the fiscal year, embraced the Public Defender, Chief Deputy and twenty-four Deputies. Because of the upsurge in the case load soon after the fiscal year began, it was necessary to employ two additional Deputies. All but three of the Deputies are assigned to the handling of criminal cases. Those three Deputies are assigned to matters embraced within the civil jurisdiction of the office.

The office has an investigation staff of six--one Lieutenant and five Investigators. The clerical staff consists of one Senior Secretary, one Intermediate Secretary,

three Legal Secretaries, one Intermediate Stenographer and one Stenographer.

LOCATION:

The main office of the Public Defender is located in the Hall of Justice, in the Civic Center of Los Angeles. A branch office is maintained in Long Beach to serve the people and the departments of the superior court in the southern part of the county. The Long Beach office is staffed with two Deputies and one Legal Secretary. The criminal departments of the superior court functioning in Pasadena, Pomona and Santa Monica are served by Deputies working out of the main office.

FUNCTIONS:

The work as it relates to the criminal phase--preliminary examinations, arraignments, pleas, trials, probation hearings, violation of probation hearings, and modifications of probation, appeals, etc.--seems to be pretty well known.

As to the functions of the office in the civil division, this is the less spectacular phase of the work but nonetheless it is important both from the viewpoint as to the rights of the individual involved and indirectly as it affects county government expenditures. The greater portion of accepted cases involve the release of wages from attachment. Releasing the wages, which may be wrongfully attached, of the head of a family otherwise destitute helps the family and frequently keeps them from being forced to

apply for assistance from the county or from some charitable institution.

The office exercises extreme care that none but those properly eligible for legal assistance are accepted. Those who are not eligible are referred to some other proper agency or to private attorneys.

INVESTIGATORS:

The work of the investigation staff is confined almost exclusively to the criminal jurisdiction of the office. The Investigators' duties are comparable to those of investigators in any private law office or the District Attorney's office--locating witnesses and making field investigations of cases assigned to them by the trial deputies. The policy of the office is to investigate thoroughly and ascertain the true facts, regardless of whether it proves favorable or favorable to the accused. This phase of the work of the office has resulted in substantial economy which is reflected by the number of dismissals. In many instances unimpeachable evidence was discovered showing the complete innocence of the defendants although at first the evidence appeared strong against them. On the other hand, the facts brought to light by the same type of investigation have been instrumental in bringing about a substantial number of pleas of guilty in proper cases. But it should be borne in mind the purpose of the office is not to obtain a record of guilty pleas but rather to insure, insofar as possible, the prevention of miscarriages of justice and protect innocent persons from being erroneously convicted.

In the following statistical data it will be noticed the term "Master Calendar Department" is used. To avoid confusion, this term perhaps merits a brief explanation. In the central Los Angeles area there are eight superior court departments devoted to handling criminal cases exclusively. (This does not include the outlying branch courts.) One of these courts is designated the "Master Calendar" and all arraignments of felony cases first appear here. If on arraignment the defendant pleads guilty, the matter will be handled through to termination in the Master Calendar Department. If, on the other hand, the defendant pleads not guilty, the case is transferred to one of the other seven departments, which are designated "Trial Departments".

In the areas served by branch courts--Long Beach, Santa Monica and Pasadena--where more than one department is in operation, a similar setup prevails, i.e., all arraignments initially appear in a Master Calendar Department in their respective areas.

COMPOSITE STATISTICAL RECORD
OF CRIMINAL WORK OF OFFICE
July 1, 1956 to June 30, 1957

NUMBER OF NEW CASES RECEIVED

FELONIES:		
Los Angeles	4,677	
Long Beach	661	
Pasadena	341	
Pomona	260	
Santa Monica	318	6,257
CONTRIBUTING:		
Los Angeles	72	
Long Beach	0	
Pasadena	0	
Pomona	0	
Santa Monica	0	72
CIVIL INSANITY:		
Los Angeles	95	
Long Beach	0	
Pasadena	0	
Pomona	0	
Santa Monica	0	95
VIOLATION OF PROBATION:		
Los Angeles	598	
Long Beach	96	
Pasadena	31	
Pomona	43	
Santa Monica	55	823
PRELIMINARY HEARINGS (all courts):		3,312
MISCELLANEOUS PROCEEDINGS (all courts):		
Sex psychopaths	86	
Sex psychopaths returned	80	
Civil insanity petitions initiated	1	
Present sanity	26	
Motions (miscellaneous)	3	
Probation and sentence (only)	47	
Juvenile petitions	20	
Psychopath delinquent minor	1	
Modification of probation	23	
Youth Authority dismissal	22	
Trial	3	
Deposition	1	
Appeal brief	1	
Contempt	1	
Termination of probation	1	
Plea (only)	2	
Habeas corpus writ	1	319
		10,878

COMPOSITE STATISTICAL RECORD
OF CRIMINAL WORK OF OFFICE
July 1, 1956 to June 30, 1957

(continued)

REHABILITATION PROCEEDINGS (all courts):	
Initiated	78
(This pertains to new cases opened, some of which (because of peculiar legal requirement) will have to be kept open and carried for eight years or more.)	
UNFINISHED CASES (all courts):	
Pending 7-1-56 and finished during current year	776
UNFINISHED CASES (all courts):	
Pending 6-30-57	980
APPEALS	2
DEFENSE OF APPEAL BY PLAINTIFF	1
Number of people interviewed in office on criminal matters	3,953

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

July 1, 1956 to June 30, 1957

MASTER CALENDAR DISPOSITIONS (no trial):		
Pleaded guilty	2,935	
(Substituted out after plea - 44)		
Substituted out before plea	252	
Dismissed	186	
Transferred to Juvenile Court	31	
Placed off calendar because:		
Presently insane	6	
Civil insanity petition filed	7	
Defendants unavailable - bench warrants issued	4	3,421
TRIAL COURT DISPOSITIONS (no trial):		
Pleaded guilty	936	
(Substituted out after plea - 6)		
Substituted out (private attorney procured or in pro. per.)	299	
Dismissed	123	
Transferred to Juvenile Court	2	
Off calendar because:		
Presently insane	7	
Civil insanity petition filed	1	
Defendants unavailable - bench warrants issued	11	
Account of other case	5	1,384
TRIAL BY JURY - TO VERDICT (jury cases):		158
TRIAL BY COURT - TO DECISION (without jury):		1,113
VIOLATIONS OF PROBATION:		
Probation revoked	434	
Probation reinstated	349	
Substitutions	18	
Sex Psychopaths	3	
Off calendar because:		
Civil insanity petition filed	1	
Defendants unavailable - bench warrants issued	9	814
PRELIMINARY HEARINGS:		
Held to answer	2,303	
Transferred to Juvenile Court	11	
Pleaded guilty to misdemeanor	228	
Substitutions	593	
Dismissed or otherwise disposed of	170	
Off calendar - defendants unavailable - bench warrants issued	7	3,312

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

July 1, 1956 to June 30, 1957

(continued)

CONTRIBUTING TO DELINQUENCY OF MINOR CASES:		
Pleaded guilty	29	
Substitutions	14	
Transferred to Juvenile Court	1	
Trials by court - no jury	1	
Trials by jury	2	
Dismissed or placed off calendar	26	73
MISCELLANEOUS PROCEEDINGS:		
Petitions to modify probation:		
Granted	18	
Denied	2	
Off calendar	1	21
Probation and sentence hearings only		41
Youth Authority dismissals		21
Juvenile petitions, motions and miscellaneous hearings		31
Insanity proceedings certified from municipal court (not guilty/insanity pleas)		2
Present sanity - certified from municipal court:		
Trials	20	
Substitutions	6	26
Sex psychopath - original hearings		83
Sex psychopaths - returned from state hospital for sentence or other disposition		84
Rehabilitation proceedings:		
Granted	2	
Denied	0	
Closed for various reasons - dead, moved, abandoned, etc.	36	38
Civil insanity - trials:		
Jury	40	
Non-jury (jury waived)	48	
Substitutions	2	90

CIVIL JURISDICTION
July 1, 1956 to June 30, 1957

Applications in which advice was given:		
Los Angeles	6,447	
Long Beach	895	7,342
Applications rejected:		
Refused:		
Los Angeles	287	
Long Beach	82	369
Referred to attorneys:		
Los Angeles	3,037	
Long Beach	45	3,082
*Applications referred to other agencies and unclassified:		
Los Angeles	2,729	
Long Beach	111	2,840
Accepted cases (see next table):		
Los Angeles	2,733	
Long Beach	272	3,005
		16,638

*Because the subject matter was not within the office jurisdiction; applicants not interviewed as no deputy available.

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments:		
Los Angeles	1,596	
Long Beach	222	1,818
Wage claims and miscellaneous:		
Los Angeles	489	
Long Beach	48	537
Persecutions - other than exemptions and invalid assignments:		
Los Angeles	46	
Long Beach	-	46
Guardianships:		
Los Angeles	276	
Long Beach	2	278
Waivers of premarital test:		
Los Angeles	326	
Long Beach	-	326
		3,005

CIVIL JURISDICTION
July 1, 1956 to June 30, 1957

(continued)

Wages released from illegal attachments - garnishments:		
Los Angeles	$83,950.41	
Long Beach	11,925.95	$95,876.36
Defense in civil cases:		
Los Angeles	2,910.69	
Long Beach	-	2,910.69
Miscellaneous items:		
Los Angeles	12,632.17	
Long Beach	-	12,632.17
Collected on cases pending 7-1-56		4,229.36
		$115,648.58

Total appearances in court on civil cases:		
Los Angeles	869	
Long Beach	3	872

INVESTIGATION DIVISION

July 1, 1956 to June 30, 1957

Criminal cases investigated	2,322
Civil cases investigated	28
	2,350
*Defendants represented, criminal	2,440
Persons interviewed in field	9,789
Persons subpoenaed at interview	196

*A case sometimes involves more than one defendant.

INVESTIGATION DIVISION

(continued)

CHARGES INVESTIGATED

Robbery	137	Kidnap/Robbery	10
Att. Robbery	22	Abortion	1
Murder	27	286 P.C.	2
Att. Murder	5	Pimping	1
Grand Theft	85	Narcotics	660
Grand Theft/Person	40	Forgery	320
Att. Grand Theft	22	Checks NSF	180
Petty Theft	24	Receiving stolen property	6
Burglary	301	Escape	2
Att. Burglary	21	ADW/Murder	24
Burglary/Grand Theft	14	501 V.C.	32
Manslaughter	5	480 V.C.	27
Assault/Deadly weapon	83	503 V.C.	19
Assault/Force	9	506 V.C.	1
Assault/GBI	10	273d P.C.	4
Assault/Rape	6	Miscellaneous	20
Rape	69	Civil	28
Att. Rape	20	Arson	1
288 and 288a P.C.	98	Bookmaking	1
Contrib. to del. minor	1	Violation of Probation	1
Kidnap	7	Extortion	4

TOTAL CHARGES INVESTIGATED 2,350

FINANCIAL REPORT
OF
PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1956 to June 30, 1957

MONEYS RECEIVED

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from claimants for costs and from defendants indebted to said persons so represented:	$965.57

MONEYS EXPENDED

Total Salaries		$339,807.72
Total Maintenance & Operation		12,559.44
Total Outlay Expenditures:		
Books	$ 197.45	
Furniture & Furnishings	1,327.00	1,524.45
		$353,891.61

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